



## AUBURN HILLS MEETING SCHEDULE

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### DECEMBER 2024

DAY	TITLE	TIME	LOCATION
2	City Council Workshop	5:30 PM	Administrative Conference Room 1827 N. Squirrel Road
2	City Council Meeting	7:00 PM	Council Chamber 1827 N. Squirrel Road
9	Library Board	7:00 PM	Auburn Hills Public Library 3400 Seyburn Drive
10	Board of Review	11:00 AM	Administrative Conference Room 1827 N. Squirrel Road
10	Tax Increment Finance Authority	4:00 PM	Administrative Conference Room 1827 N. Squirrel Road
11	Pension Board/Retiree HealthCare	3:00 PM	Administrative Conference Room 1827 N. Squirrel Road
11	Planning Commission/Recreation Department	6:30 PM (Poltuck) 7:00 PM	Public Safety Building 1899 N. Squirrel Road
<del>12</del>	<del>Zoning Board of Appeals</del>	<del>7:00 PM</del>	<b>CANCELED</b>
17	Brownfield Redevelopment Authority	6:00 PM	Administrative Conference Room 1827 N. Squirrel Road

**NOTE:** Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements. PLEASE BE ADVISED, DUE TO A LACK OF AGENDA ITEMS, SOME MEETINGS MAY BE CANCELED.



**CITY OF AUBURN HILLS**  
**MONDAY, DECEMBER 2, 2024**

**Workshop Session ♦ 5:30 PM**

Admin Conference Room, 1827 N. Squirrel Road, Auburn Hills MI

**Regular City Council Meeting ♦ 7:00 PM**

Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

248-370-9402 ♦ [www.auburnhills.org](http://www.auburnhills.org)

Workshop Topic: Workshop Topics for 2025 & General Liability Insurance Renewal

1. **MEETING CALLED TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL OF COUNCIL**
4. **APPROVAL OF MINUTES**
5. **APPOINTMENTS AND PRESENTATIONS**
6. **PUBLIC COMMENT**
7. **CONSENT AGENDA**

All items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority Informational Meeting, November 12, 2024

7a2. Tax Increment Finance Authority, November 12, 2024

7b. Motion – To amend the 2024 General Fund Building Department budget.

7c. Motion – To amend the General Fund Assessing Department budget.

7d. Motion – To amend appropriate Wage & Benefit lines within General Fund Departments and other Funds.

7e. Motion – To approve the 2025 Liability & Property Insurance Renewal.

7f. Motion – To amend the 2024 Local Street Fund & General Fund Street Improvement department.

7g. Motion – To amend the 2024 General Fund Capital Improvements Department budget.

7h. Motion – To amend the 2024 General Fund City Manager Department budget.

8. **UNFINISHED BUSINESS**

8a. Motion – To extend the Revised PUD Step Two - Site Plan and Tree Removal Permit Approval / The Avant at Five Points

9. **NEW BUSINESS**

9a. Motion – To adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed **Executive Hills Boulevard** Special Assessment District.

9b. Motion – Adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed **Centre Road** Special Assessment District.

9c. Motion – Adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed **Innovation Drive** Special Assessment District.

10. **COMMENTS AND MOTIONS FROM COUNCIL**

11. **CITY ATTORNEY REPORT**

12. **CITY MANAGER REPORT**

13. **ADJOURNMENT**

City Council meeting minutes are on file in the City Clerk's Office. NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 or the City Manager's Office at 248.370.9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.



# CITY OF AUBURN HILLS CITY COUNCIL AGENDA

**MEETING DATE: DECEMBER 2, 2024**

**AGENDA ITEM NO 7A1**

**TAX INCREMENT FINANCE AUTHORITY**

**“Not Yet Approved”  
CITY OF AUBURN HILLS  
TAX INCREMENT FINANCE AUTHORITY INFORMATIONAL MEETING**

**November 12, 2023**

**CALL TO ORDER:** Chairman Kneffel called the meeting to order at 4:02 PM.

**ROLL CALL:** Present: Kneffel, Goodhall, Eldredge, Gudmundsen, Moniz, Fletcher, Barash  
Absent: Waltenspiel  
Also Present: Brandon Skopek, Assistant City Manager / TIFA Executive; Andrew Hagge, Assistant to the City Manager; Adam Massingill, Fire Chief; Jason Deman, Manager of Public Utilities  
Guests: None

**LOCATION:** Auburn Hills City Hall, Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, MI 48326

**PERSONS WISHING TO BE HEARD**

None.

**REVIEW OF PROJECTS COMPLETED OVER THE LAST YEAR**

Mr. Skopek reviewed the list of completed TIFA projects in each TIF District in fiscal year 2024.

**FISCAL YEAR 2022 PLANS**

Mr. Skopek reviewed the project plans for each TIF District in fiscal year 2025.

**ADJOURNMENT**

**Moved by Mr. Goodhall to adjourn the TIFA Informational Meeting.**

**Seconded by Mr. Barash**

**Yes: Kneffel, Moniz, Goodhall, Gudmundsen, Eldredge, Fletcher, Barash**

**No: none**

**Motion carried**

**The TIFA Informational Meeting adjourned at 4:09 p.m.**

Steve Goodhall  
Secretary of the Board

Andrew Hagge  
Assistant to the City Manager



# CITY OF AUBURN HILLS CITY COUNCIL AGENDA

**MEETING DATE: DECEMBER 2, 2024**

**AGENDA ITEM NO 7A2**

**TAX INCREMENT FINANCE AUTHORITY**

**“Not Yet Approved”  
CITY OF AUBURN HILLS  
TAX INCREMENT FINANCE AUTHORITY MEETING**

**November 12, 2024**

**CALL TO ORDER:** Chairman Kneffel called the meeting to order at 4:09 PM.

**ROLL CALL:** Present: Goodhall, Gudmundsen, Fletcher, Moniz, Eldredge, Barash, Kneffel  
Absent: Waltenspiel  
Also Present: Brandon Skopek, Assistant City Manager & TIFA Executive Director; Andrew Hagge, Assistant to the City Manager; Adam Massingill, Fire Chief; Jason Deman, Manager of Public Utilities  
Guests: None

**LOCATION:** Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, MI 48326

**PERSONS WISHING TO BE HEARD**

None.

**APPROVAL OF MINUTES**

**A. TIFA Regular Meeting Minutes – October 8, 2024**

There was no discussion on the approval of the minutes.

**Moved by Mr. Goodhall to approve the TIFA Regular Meeting Minutes from October 8, 2024, as presented.**

**Seconded by Mr. Barash**

**Yes: Goodhall, Fletcher, Gudmundsen, Moniz, Eldredge, Kneffel, Barash**  
**No: None**

**Motion Carried**

**CORRESPONDENCE & PRESENTATIONS**

None.

**CONSENT AGENDA**

**A. FY 2024 Adopted Budget and YTD Summary – October 31, 2024**

**RESOLVED:** To receive and file the financial report for the period ending October 31, 2024.

**Moved by Mr. Moniz to Approve the Consent Agenda.**

**Seconded by Mr. Barash**

Yes: Goodhall, Fletcher, Gudmundsen, Moniz, Eldredge, Kneffel, Barash  
 No: None

**Motion carried**

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

#### **A. Budget Amendment for the Purchase of Badge Access Controls**

Mr. Hagge presented the agenda item regarding the purchase and installation of three additional badge access controls in City Hall. Mr. Hagge noted that, as a part of a security assessment carried out by the Auburn Hills Police Department, it was recommended that the city add badge access controls to non-office common areas in City Hall. Additionally, Mr. Hagge explained that the vendor, Detection Systems and Engineering, is the single source vendor for this project, which means that it was not necessary to go out to bid or acquire at least three quotes before moving forward. The Board inquired about the number of badge access controls currently in City Hall compared to the number of keys, which the badge access controls will replace, that are circulating among city staff.

**Moved by Mr. Gudmundsen to authorize a budget amendment to increase appropriations by \$11,062 in the 2024 TIF-D budget for the purchase of three badge access controls from Detection Systems and Engineering.**

**Seconded by Mr. Goodhall**

Yes: Goodhall, Fletcher, Gudmundsen, Moniz, Eldredge, Barash, Kneffel  
 No: None

**Motion carried**

#### **B. Funding Authorization for the Fire Station 2 Renovation Project**

Fire Chief Massingill presented the agenda item regarding the Fire Station 2 Renovation Project. He explained why the renovation is necessary as the Fire Department has transitioned from a paid-on-call to a full-time fire department. The renovation of Fire Station 2, as explained by Mr. Massingill, will lead to improved working conditions, increased productivity, and improved service delivery. Furthermore, the renovated fire station will incorporate hot, warm, and cold zones that will aid in decontamination and isolation of carcinogens. The TIFA Board asked about the current layout of Fire Station 2, where living quarters would be located, and how the basement level of Fire Station 2 would be utilized. Mr. Massingill addressed all questions and provided a printed layout to the Board to show how Fire Station 2 will be designed.

**Moved by Mr. Moniz to authorize funding for the Fire Station 2 renovation project. Furthermore, approve a budget amendment to the 2024 TIF-D budget increasing appropriations by \$484,150 in support of this project.**

**Seconded by Mr. Barash.**

Yes: Goodhall, Fletcher, Gudmundsen, Moniz, Eldredge, Barash, Kneffel  
 No: None

**Motion carried**

#### **C. Funding Authorization for Water Main Extension**

Mr. Moniz excused himself from the meeting at 4:36 PM to attend a prior engagement. He did not participate in the rest of the TIFA meeting.

Mr. Deman presented the agenda item to the TIFA Board. He explained that 1500 University Drive was the previous site of Baker College and is now home to Oakland University. Additionally, Mr. Deman explained that the proposed water main

would not only benefit Oakland University, but several properties along University Drive as well as Centre Road. The Board inquired about the material of the proposed water main, which Mr. Deman answered.

**Moved by Mr. Barash to approve the transfer of \$314,832 to the water fund in support of the 1500 University Drive water main extension project. Furthermore, authorize a budget amendment increasing appropriations by \$214,832 to cover the funding gap to complete the project.**

**Seconded by Mr. Goodhall.**

**Yes: Barash, Goodhall, Fletcher, Gudmundsen, Eldredge, Kneffel**  
**No: None**

**Motion carried**

#### **EXECUTIVE DIRECTOR REPORT**

Mr. Skopek provided an update on the annual Tree Lighting Ceremony. Mr. Skopek informed the Board that because of the ongoing construction at the Public Square, the Tree Lighting Ceremony would take place on the plaza along Parkways Blvd. near the splashpad.

#### **BOARD MEMBER COMMENTS**

The Board asked for an update on the Public Square. Mr. Skopek provided the latest information on the ongoing construction project. Additionally, Mr. Skopek noted that he is optimistic that construction will be completed before the end of 2024.

#### **ANNOUNCEMENT OF NEXT MEETING**

The next regularly scheduled TIFA Board of Directors meeting is scheduled for Tuesday, December 10, 2024, at 4:00 p.m. in the Administrative Conference Room in City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326.

#### **ADJOURNMENT**

**Moved by Mr. Goodhall to adjourn the TIFA Board meeting.**

**Seconded by Mr. Barash**

**Yes: Goodhall, Fletcher, Gudmundsen, Barash, Eldredge, Kneffel**  
**No: None**

**Motion Carried**

**The TIFA Board of Directors meeting adjourned at 4:54 p.m.**

Steve Goodhall  
 Secretary of the Board

Andrew Hagge  
 Assistant to the City Manager



# CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7B

COMMUNITY DEVELOPMENT

To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Steven J. Cohen, AICP, Director of Community Development  
Submitted: November 22, 2024  
Subject: Motion – Amend the 2024 General Fund Building Department Budget

## INTRODUCTION AND HISTORY

Community Development Department staff have reviewed the appropriations and determined the following amendments are needed within the Building Department budget to ensure expenditures do not exceed approved appropriations as of December 31, 2024. An increase in appropriations is necessary, as outlined below. Further, an increase in expected revenues is also requested to reflect an offset of the increased expenditure where applicable. **The increase in revenues (\$925,500) and the increase in appropriations (\$111,387) highlighted below relate to increased development and permit activity over what was previously conservatively estimated for the Y2024 budget.**

### Projected Y2024 Revenues

Amendment  
of \$925,500

	Code	Description	Current 2024 Revenues	Amendment	Revised 2024 Revenues
Revenues	478.001	SIGN PERMITS	\$20,000	\$11,000	\$31,000
Revenues	479.002	BLDG. PERMITS	\$600,000	\$600,000	\$1,200,000
Revenues	479.003	ELECTRICAL PERMITS	\$120,000		\$120,000
Revenues	479.004	HEAT, VENT & AC PERMITS	\$14,400	\$1,000	\$15,400
Revenues	479.005	PLUMBING PERMITS	\$120,000	\$5,000	\$125,000
Revenues	480.101	INSPECTION & OCCUPANCY	\$60,000	\$28,000	\$88,000
Revenues	493.001	HEAT, VENT, & AC LICENSES	\$1,500		\$1,500
Revenues	493.002	BLDG. REGISTRATION	\$1,500		\$1,500
Revenues	493.003	ELECTRICAL LICENSES	\$3,800		\$3,800
Revenues	496.005	PLUMBING LICENSES	\$1,500	\$2,500	\$4,000
Revenues	627.100	WEED CUTTING	\$13,000	\$4,000	\$17,000
Revenues	628.000	PLAN REVIEW FEES	\$256,000	\$174,000	\$430,000
Revenues	628.001	ZONING AND PLAT FEES	\$54,000		\$54,000
Revenues	628.003	ENGINEERING FEES	\$168,000	\$100,000	\$268,000
Revenues	676.002	BLIGHT-REIMBURSED EXPENSE	\$5,000		\$5,000
			\$1,438,700	\$925,500	\$2,364,200

### Projected Y2024 Appropriations

Amendment  
of \$111,387

	Code	Description	Current 2024 Appropriations	Amendment	Revised 2024 Appropriations
Expenditures	728.000	OFFICE SUPPLIES	\$6,000		\$6,000
Expenditures	729.000	PRINTING	\$1,500		\$1,500
Expenditures	730.000	POSTAGE	\$2,500		\$2,500
Expenditures	731.000	PUBLICATIONS	\$7,820		\$7,820
Expenditures	732.000	SOFTWARE & LICENSES SUBSCRIPTIONS	\$350		\$350
Expenditures	799.000	EQUIPMENT UNDER \$5,000	\$500		\$500
Expenditures	801.000	CONT SERVICES - TEMP. EMPLOY	\$154,800	\$46,200	\$201,000
Expenditures	802.004	WEED CUTTING	\$13,000	\$4,707	\$17,707
Expenditures	814.000	COMPUTER SERVICES	\$6,000		\$6,000
Expenditures	817.000	CONSULTANT SERVICES	\$169,200	\$60,000	\$229,200
Expenditures	819.000	BLIGHT ORD. (NONCOMPLIANCE)	\$5,000		\$5,000
Expenditures	851.000	TELEPHONE	\$5,100		\$5,100
Expenditures	860.000	MILEAGE REIMBURSEMENT	\$200		\$200
Expenditures	901.000	ADVERTISING/MARKETING	\$8,000		\$8,000
Expenditures	957.001	PHYSICAL DAMAGE INSURANCE	\$1,688	\$480	\$1,736
Expenditures	958.000	MEMBERSHIPS/CERTIFICATIONS	\$3,000		\$3,000
Expenditures	960.000	EDUCATION	\$5,000		\$5,000
Expenditures	960.001	CONFERENCES/TRAINING	\$9,750		\$9,750
Expenditures	995.002	FLEET MANAGEMENT VEHICLE RENT	\$90,562		\$90,562
			\$489,970	\$111,387	\$600,925

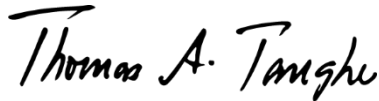
**STAFF RECOMMENDATION**

Staff recommends a budget amendment to increase the General Fund Building Department's appropriations and revenues, as highlighted on the previous page. Revenues will increase from \$1,438,700 to \$2,364,200 (by \$925,500), and appropriations will increase from \$489,970 to \$600,925 (by \$111,387). This is an overall net revenue increase in the General Fund Building Department budget of \$814,113.

**MOTION**

Move to amend the 2024 General Fund Building Department budget with an increase in revenues of \$925,500 and an increase in appropriations of \$111,387.

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7C

FINANCE/TREASURER

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director  
**Submitted:** 11/25/2024  
**Subject:** Motion – Amend the General Fund Assessing Department budget

### INTRODUCTION AND HISTORY

Finance staff reviewed the Assessing department budget. Upon review, the consultant services line item included charges not anticipated at the beginning of the year for appraisal services outside the scope of the contract with Assessing. The additional costs were for appraisals that needed to be ordered for tribunal appeals.

### STAFF RECOMMENDATION

Staff recommends an increase to the General Fund Assessing budget in line 101-257-817.000 Consultant services of \$43,130.

### MOTION

Move to amend the General Fund Assessing department budget increasing appropriations \$43,130.

I CONCUR:

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THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7D

FINANCE

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Christina Faulk, Accountant: Connie Bommarito, Accountant  
**Submitted:** December 2, 2024  
**Subject:** Motion – to Amend Appropriate Wage and Benefit lines within General Fund Departments and other Funds

## INTRODUCTION AND HISTORY

Each year during the budget process, the budget for wages and benefits is based on a point in time and assumptions. The primary reasons for the adjustments to appropriations below are due to actual staffing levels and actual hours worked during 2024. Some departments were not staffed fully, while others may have experienced more part time hours or overtime.

## STAFF RECOMMENDATION

Staff recommends the following increases and decreases in appropriations to the General fund departments, Major Road fund, Local Road fund, and Fieldstone Golf fund listed below be approved. The details to the exact wage and benefit and employment tax lines to be adjusted have been identified by payroll personnel in each department or Fund affected and will be adjusted accordingly upon approval of the amendment.

Department	Net Amendment	Primary Reason
172	(35,600.00)	Part time wages
215	4,700.00	Election wages
253	19,800.00	Leave payouts
265	31,400.00	Full time wages
266	(31,400.00)	Full time wages and benefits
301	(130,900.00)	Full time wages
305	32,500.00	Part time wages
336	7,050.00	Full time wages
339	(10,300.00)	Part time wages
685	32,400.00	Part time wages
686	9,000.00	Part time wages
703	16,700.00	Medical expense
755	(34,900.00)	Part time wages
770	(9,100.00)	Full time wages
<b>Total General Fund</b>	<b>(98,650.00)</b>	Net decrease in appropriations
452- Major Roads	(133,900.00)	Decrease Full Time wages and benefits
453- Local Roads	139,200.00	Increase Full Time wages and benefits
753- Golf	92,150.00	Increase Part time wages

**MOTION**

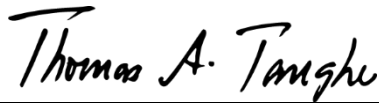
Move to Amend each General Fund department's 2024 wages and/or benefit line increasing or decreasing appropriations as stated above.

Move to Amend the Major Road Fund by decreasing the 2024 Budget appropriations as stated above.

Move to Amend the Local Roads Fund by increasing the 2024 Budget appropriations as stated above.

Move to Amend the Fieldstone Golf Fund increasing the 2024 Budget appropriations as stated above.

I CONCUR:

Handwritten signature of Thomas A. Tanghe in black ink.

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THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7E

FINANCE/TREASURER

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director  
**Submitted:** November 19, 2024  
**Subject:** Motion – Approve the 2025 Liability and Property Insurance Renewal

## INTRODUCTION AND HISTORY

For the 2025 property and casualty insurance renewal, the City utilized the services of the City's Independent Agent, Jim Huttenlocher of the Huttenlocher Group, to negotiate the renewal terms with Travelers Insurance Company.

The City solicits and receives multiple competitive bids typically every three years. During the 2023 renewal period Travelers was selected as the most cost effective while providing the most comprehensive coverage to the benefit of the City from the competing insurers through an open bid process. The City plans to solicit bids from alternative insurance companies again for the 2026 renewal.

The property and casualty insurance program includes coverages for property, liability, auto liability and physical damage, inland marine (moveable equipment and computer equipment) computer fraud, police and public officials' wrongful acts, terrorism and other coverages specific to municipalities.

For the 2025 policy period, the coverages, deductibles, and limits remain similar to 2024. Staff have continued to work through listed property, equipment, and vehicles to ensure comprehensive coverage while being diligent in removing coverages on pieces no longer owned or in service with the City. Travelers provided an additional service by providing building valuations to ensure the City is adequately insuring its building assets and keeping pace with inflation in building costs. Some building values were increased to keep pace with these valuations. While insurance costs continue to rise in the industry and specifically for municipalities, the City's risk profile and claim activity led to positive results (decreased premiums) from the insurance company underwriters. The 2025 premium cost is \$383,279 as opposed to \$385,997 for the 2024 renewal.

Attached is the Coverage Summary for 2025 as compared to 2024.

## STAFF RECOMMENDATION

Staff recommend that the City Council accept and approve the 2024 insurance policy renewal with Travelers Insurance Company.

## MOTION

**Move to approve the 2025 policy renewal for Liability and Property Insurance with Travelers in accordance with the specifications contained in the Coverage Summary in the amount of \$383,279 and authorize Mr. Huttenlocher to convey acceptance on behalf of the City and for the City Manager to sign the necessary documents related to binding coverage.**

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER

**City of Auburn Hills**  
**Risk Management**  
**Coverage Summary & Renewal Analysis**

Prepared by: James M Huttenlocher, CIC, CRM, LIC  
The Huttenlocher Group/Acrisure

**Insurer: Travelers Insurance Company**  
**January 1, 2025 to December 31, 2025**  
**November 18, 2024**

	Travelers 2024	Travelers 2025
Property Value Insured (Bldg/Contents)	\$79,081,581	\$85,305,953
Inland Marine - Scheduled	\$6,365,701	\$6,200,155
Inland Marine - Misc Property/Ancillary Equipment	\$200,000	\$200,000
General Liability Deductible	\$25,000	\$25,000
Property Deductible	\$5,000	\$5,000
Limit of Liability - Per Occurrence	\$1,000,000	\$1,000,000
Aggregate	\$1,000,000	\$1,000,000
Police & Public Official Wrongful Act Deductible	\$50,000	\$50,000
Regulatory Taking Sublimit	None	None
Flood & Earthquake	\$5,000,000	\$5,000,000
Flood/ Earthquake Deductible	\$50,000	\$50,000
Computer Fraud	\$500,000	\$500,000
Impound Vehicles Coverage	\$75,000	\$75,000
Auto Physical Damage:	All Vehicles included	All Vehicles included
Total Auto Value Insured	\$13,719,585	\$13,516,009
Total Number of Autos	143	142
Auto Physical Damage Deductible	\$10,000	\$10,000
CAT Auto Physical Damage:		
DPW - 1500 Brown Rd.	Included	Included
Police Garage-1899 N. Squirrel Rd	Included	Included
Auto CAT Deductible	\$150,000	\$150,000
Liability Umbrella	\$10,000,000	\$10,000,000
<b>Total Premium</b>	<b>\$385,997</b>	<b>\$383,279</b>



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7F

DEPARTMENT OF PUBLIC WORKS

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads  
**Submitted:** November 22, 2024  
**Subject:** Motion – Amend the 2024 Local Street Fund and General Fund Street Improvement department

### INTRODUCTION AND HISTORY

In 2024, Staff began a new approach to road maintenance that has created added efficiency. This approach involves working in one third of the city for the year (plus addressing unexpected issues in the other two). Because of these added efficiencies, staff was able to address more street and pathway maintenance in addition to the work normally completed on both major and local streets. Since major streets are usually prioritized because of the higher traffic volumes, the additional work was mostly on local streets. As such, staff is recommending the amendment of the local streets fund to cover the additional expenses related to the work. In addition, a few of our capital improvements this year are slightly over budget and require amendments as well.

### STAFF RECOMMENDATION

Staff recommends an amendment increasing Local Streets Fund appropriations \$150,000 for additional maintenance and small increases in several capital project lines (including projects like Hunt Club, Perry Walton, and Superior). In addition, staff recommends an amendment to the increase appropriations to the General Fund Street department transfer line (101-446-995.203) to provide the funding for this increase in Local Road spending.

### MOTION

Move to amend the Local Streets fund with an increase of \$150,000 and the General Fund Street Improvement department with an increase of \$150,000.

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7G  
CITY MANAGER'S OFFICE

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Brandon Skopek, Assistant City Manager  
**Submitted:** November 26, 2024  
**Subject:** Motion – To amend the 2024 General Fund Capital Improvements Department budget

### INTRODUCTION AND HISTORY

Upon review of the 2024 Capital Improvements department budget, it was discovered that the line item for the engineering and design services for the proposed addition to the downtown parking structure had an encumbrance of \$18,200. This encumbrance is due to approved change orders that were within the administrative approval threshold. These change orders were required for additional work that was needed to expose the westerly footings to the existing parking structure to correctly layout the location of the easterly edge of the footings of the proposed parking structure addition, and to accommodate modifications to the DTE primary and secondary service lines in coordination with the adjacent Webster development.

### STAFF RECOMMENDATION

Staff recommends increasing appropriations in the 2024 General Fund Capital Improvements budget by \$18,200.

### MOTION

Move to amend the 2024 General Fund Capital Improvements department budget, increasing appropriations by \$18,200.

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 7H  
CITY MANAGER'S OFFICE

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Andrew Hagge, Assistant to the City Manager  
**Submitted:** November 26, 2024  
**Subject:** Motion – Increase the General Administration Department Budget by \$10,000

### INTRODUCTION AND HISTORY

The General Administration Department of the General Fund captures a variety of city-wide expenditures, including central office supplies, general contracted services, community relations costs, and many others. This budget is at risk of being overextended because the line item “Land and Improvements” has exceeded planned spending for 2024. This is a result of the city’s real estate purchase of 3157 Auburn Road. As a part of the real estate transaction, the city had to produce a check in the amount of \$10,000 to act as an earnest money deposit.

The city did not originally budget any funds in the Land and Improvements line within the General Administration Department’s fund.

### STAFF RECOMMENDATION

Staff recommends a budget amendment increasing the General Administration Land and Improvements line from \$0.00 to \$10,000.00 to keep this general fund department compliant.

### MOTION

Move to amend the 2024 General Administration Department’s Land and Improvements budget with an increase in appropriations of \$10,000.

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 8A

COMMUNITY DEVELOPMENT

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Steven J. Cohen, AICP, Director of Community Development  
**Submitted:** November 24, 2024  
**Subject:** The Avant at Five Points  
**Motion – To extend the Revised PUD Step Two - Site Plan and Tree Removal Permit Approval**

### INTRODUCTION AND HISTORY

This is a request from OYK Engineering and Construction (OYK) for a third extension of the revised PUD Step Two—Site Plan and Tree Removal Permit for The Avant at Five Points, which is set to expire on December 9, 2024. The project is not compliant with the construction deadlines of the Avant at Five Points Second Amendment to the PUD Development Agreement as authorized by the City Council on September 9, 2024. Further, as part of this third extension request, OYK has asked that the previously agreed-upon deadlines for each construction phase be eliminated and that the City Council adopt the construction schedule they provided. The 2.66-acre site is located at 3355 Five Points Drive and is zoned B-2, General Business district.

It is noted that OYK did comply with Item 3A listed in the Second Amendment to the PUD Development Agreement (shown below) but will fail to meet the agreed-upon construction deadline, listed in Item 3B, to begin vertical construction of the first floor of the building by December 9, 2024.

### 3. Completion Date.

- A. The Developer shall sign this Second Amendment to PUD Development Agreement and return said Second Amendment to PUD Development Agreement to the City by Noon on September 23, 2024. If the Developer fails to sign and return the Second Amendment to PUD Development Agreement to the City by Noon on September 23, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
- B. If the Developer meets the completion deadline for Item A, but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by December 9, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
- C. If the Developer meets the completion deadline for Item B, but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by June 1, 2025, then the Developer will voluntarily terminate the Planned Unit Development approval.
- D. The Developer shall complete all site improvements and landscaping per the approved Site Plan by November 15, 2025.
- E. The Developer shall complete the development and obtain a final Certificate of Occupancy Permit from the City by March 30, 2026.
- F. If the Planned Unit Development approval is terminated, then the Developer shall, at its own cost, remove all incomplete structures and foundations from the Subject Property and restore the Subject Property as directed by staff in accordance with City Ordinances. If the Developer fails to restore the Subject Property as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the Developer for work performed by the City that the Developer fails to complete and to place a lien against the Subject Property if the Developer does not pay such costs incurred by the City.

### **PROJECT APPROVAL HISTORY**

As background, OYK originally received approval from the City Council on **November 18, 2019**, to construct a three-story, 61-unit, low-rise multi-family residential development.



**Bird's eye view of the proposed building from Five Points Drive**

On **March 20, 2023**, OYK received revised PUD approval from the City Council to amend its site plan to increase the number of housing units from 61 to 68 (35 one-bedroom and 33 two-bedroom units), make minor alterations to the building façade, and amend the parking lot design. A condition of the City Council's approval of the revised project required the development, including all site improvements, to be complete by **July 1, 2024**.

On **May 20, 2024**, the City Council granted OYK's first request for an extension to **December 30, 2025** (for project completion), with several critical construction deadlines to move the project forward. OYK had indicated that the primary reason for its delay in building construction had been its need to resolve its original contractor's improper installation of the project's underground stormwater detention system.

On **September 9, 2024**, the City Council granted OYK's second request for an extension to **March 30, 2026**. OYK could not meet the first extension approval deadline to start vertical construction of the building by September 9, 2024. The City Council's motion for the second extension required vertical construction of the building to start by December 9, 2024, along with other construction performance deadlines.

**OYK will not meet the December 9, 2024 construction deadline and has now submitted a third extension request for City Council consideration, proposing that the City Council adopt the construction schedule provided in the informational packet.** In their latest extension request, OYK states:

*"We respectfully request that the City Council adopt the construction schedule previously submitted by OYK. This schedule reflects the practical challenges on the ground, realistic timelines for each phase of work, and ensures continued progress without compromising safety or quality. Adapting this schedule would provide a fair and reasonable framework for project completion .... We urge the City Council to recognize these realities and adopt our proposed construction schedule to facilitate smooth progress."*

**RECENT PHOTOS OF THE SITE**



**Photo of the site taken on March 20, 2023**  
The date the project's revised PUD was granted



**Photo of the site taken on May 20, 2024**  
The date the project's first PUD extension was granted

**RECENT PHOTOS OF THE SITE (cont.)**



**Photo of the site taken on September 3, 2024**

6 days before the project's second PUD extension was granted on September 9, 2024



**Photo of the site taken on November 25, 2024**

2 months, 16 days (77 days) after the project's PUD second extension was granted on September 9, 2024

6 months, 5 days (189 days) after the project's PUD first extension was granted on May 20, 2024

20 months, 5 days (616 days) after the project's revised PUD approval was granted on March 20, 2023

**STAFF RECOMMENDATION**

If the City Council decides to grant a third extension of the PUD approval, staff recommends that OYK be held accountable for performing the construction schedule they have provided the City, which OYK has deemed in their recent correspondence as “*a fair and reasonable framework for project completion.*” The draft recommended action (**OPTION A**) below provides highly achievable deadlines that reflect OYK’s submitted construction schedule, provided OYK mobilizes sufficient construction crews and resources for the task.

**MOTION****OPTION A (provided if the City Council wishes to approve the third extension of the PUD approval).**

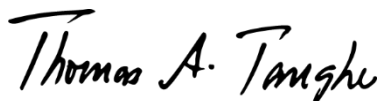
Move to extend the Revised PUD Step Two – Site Plan and Tree Removal Permit approval for The Avant at Five Points from July 1, 2024 to March 16, 2026, subject to the following conditions:

1. The City Attorney shall update the Second Amendment to the Development Agreement by revising the conditions of this extension approval. If OYK fails to sign and return the updated agreement to the City by noon on **December 16, 2024**, then the applicant will voluntarily terminate the Planned Unit Development approval.
2. If OYK meets the completion deadline for Item #1 but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by **April 1, 2025**, then the applicant will voluntarily terminate the Planned Unit Development approval. *Vertical construction of the first floor shall correspond to the start of Item #14 – Installation of the First-Floor CFS Wall Panels per OYK’s construction schedule submitted on November 21, 2024.*
3. If OYK meets the completion deadline for Item #2 but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by **January 2, 2026**, then OYK will voluntarily terminate the Planned Unit Development approval. *The enclosure of the entire building shall correspond to the completion of Item #24 – Windows and Store Front Installation per OYK’s construction schedule submitted on November 21, 2024.*
4. OYK shall complete all site improvements and landscaping per the approved Site Plan by **January 2, 2026**. *The landscaping installation shall correspond with Item #43 – Landscaping per OYK’s construction schedule submitted on November 21, 2024.*
5. OYK shall complete the development and obtain a final Certificate of Occupancy Permit from the City by **March 16, 2026**. *Obtaining the final Certificate of Occupancy Permit shall correspond with Item #48—Certificate of Occupancy per OYK’s construction schedule submitted on November 21, 2024.*
6. If the Planned Unit Development approval is terminated, then OYK shall, at its own cost, remove all incomplete structures and foundations from the site and restore the site as directed by staff in accordance with City Ordinances. If OYK fails to restore the site as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council’s order, including but not limited to legal action, invoicing the applicant for work performed by the City that the OYK fails to complete and to place a lien against the property if the OYK does not pay such costs incurred by the City.

**OPTION B (provided if the City Council does not wish to approve the third extension of the PUD approval).**

Move to deny the request to extend the Revised PUD Step Two – Site Plan and Tree Removal Permit approval for The Avant at Five Points. OYK shall, at its own cost, remove all incomplete structures and foundations from the site and restore the site as directed by staff in accordance with City Ordinances by January 16, 2025. If OYK fails to restore the site as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council’s order, including but not limited to legal action, invoicing the applicant for work performed by the City that OYK fails to complete and to place a lien against the property if the OYK does not pay such costs incurred by the City.

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER



2991 S. Livernois Road, Suite 206 - Rochester Hills, MI 48307 | 248-656-7695

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November 21, 2024

**Steven J. Cohen**

Director of Community Development

1827 N. Squirrel Road

Auburn Hills, MI 48326

**Subject: Request for Construction Schedule Adjustment and Continued Progress Update**

Dear Mr. Cohen,

I am writing on behalf of OYK to address the ongoing progress of our project at Five Points and to formally reiterate our request for the City of Auburn Hills to adopt the construction schedule previously provided. This schedule, now reattached, is based on the realities of our site conditions, the challenges faced, and the progress achieved to date.

During our presentation to the City Council in September, we clearly outlined the significant obstacles we face, particularly in constructing the underground garages and managing the infrastructure, including the detention system. These complexities, compounded by the unique characteristics of the site, require careful execution to ensure safety and quality. Despite these efforts and explanations, the imposed schedule does not align with the practical realities of this project.

### **Key Challenges and Efforts**

1. **Underground Construction Complexities:** The technical and logistical demands of constructing underground garages have been significant, especially in ensuring the safety and maintenance of critical infrastructure.
2. **Safety and Security:** The site remains fully secure, fenced, and compliant, with no adverse effects on neighboring properties, businesses, or residents.
3. **Continuous Commitment:** OYK and its crew have been working diligently without interruptions and full coordination with the building department and inspectors, except during severe weather conditions. Our team remains committed to advancing the project responsibly and efficiently.

### **Request for Adopting the Construction Schedule**

We respectfully request that the City Council adopt the construction schedule previously submitted by OYK. This schedule reflects the practical challenges on the ground, realistic timelines for each phase of work, and ensures continued progress without compromising safety



**2991 S. Livernois Road, Suite 206 - Rochester Hills, MI 48307 | 248-656-7695**

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or quality. Adapting this schedule would provide a fair and reasonable framework for project completion.

### **Invitation for a Site Visit**

We extend an invitation to you, the Mayor, and City Council members to visit the job site to witness firsthand the progress being made. This visit would provide valuable insight into the complexities we are managing and demonstrate the hard work and effort our team has invested to overcome these challenges.

### **Conclusion**

It is crucial to emphasize that delays or challenges primarily impact us as developers, both financially and logistically. Our focus remains on completing this project with integrity, ensuring it is done safely, securely, and to the highest standards. We urge the City Council to recognize these realities and adopt our proposed construction schedule to facilitate smooth progress.

We sincerely appreciate your time and consideration of this matter. Please do not hesitate to contact me if you require further information or wish to arrange a site visit.

Sincerely,

Thank you

Fred M. Hadid, PE

**Attachment:** Updated Construction Schedule





## The Avant at Five Points PUD

### **Project History**

*(Before January 2023)*

The Auburn Hills City Council approved the PUD for this project on November 18, 2019. Following City Council approval, engineering and construction plans were submitted. The engineering plans were approved on May 21, 2020. After four revisions, the building permit was approved on May 6, 2020. Although the Building Permit was approved on May 6, 2020, it was never pulled/issued to OYK, as the building permit fee and the water/sewer tap fees were never paid by OYK.

OYK began work on the underground stormwater detention system and site utilities in late 2020 with Strata Construction as the contractor. During that time, concerns were raised regarding the masonry screen wall construction along Joswick, which Strata ultimately removed and replaced.

After installing the underground stormwater detention system, the project was halted due to issues between OYK Construction and Strata Construction and COVID-19-related stoppages.

Third-party reports from Professional Engineering Associates (PEA) dated November 5, 8, and 9, 2021, indicate that the underground stormwater detention system installed was backfilled with sand, and the sand was not compacted correctly. This ongoing issue has caused significant delays in the project's construction and has recently been resolved.

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### **Recent Construction Activity Timeline**

(January 2023 to Present)

**The following timeline is color-coded to the below subsections.**

Site Plan/PUD approval – GREEN

Underground detention and site work– BLUE

Building permit – ORANGE

Ordinance enforcement – PURPLE

Meetings – HIGHLIGHTED

## **2023**

**January 4, 2023**

OHM hosted a pre-construction meeting at the City with the OYK team to discuss outstanding site issues. East Edge, OYK's new underground contractor, was present.

The following notes were provided.

- Oakland County Water Resources Commission requires the storm sewer to be cleaned and videotaped to verify it is free of debris before removing the bulkhead.

- The underground stormwater detention system will be opened with Advanced Drainage Systems (ADS), OHM, and City Representatives to determine whether it can be repaired or if it needs to be removed and replaced.
  - Detention system appears to have multiple leaking joints—density reports from PEA note improper compaction between cells.
    - Required to clean out and diagnose the system for repair and/or removal and replacement.
    - ADS to submit recommendations to OHM for review and approval.

#### January 10, 2023

OHM was on site with East Edge. East Edge was uncovering the end caps of the underground stormwater detention system. Each run of pipe was inspected for ADS repair recommendations.

#### January 16, 2023

Revised PUD plans were received for review by the City and approval for PUD modification by the City Council. It is noted that the previously approved Building Permit from May 6, 2020 had not yet been issued, and fees had not been paid.

#### January 26, 2023

Jerry Ashburn, OHM, advised Henry Chang (East Edge), Jim Tack, and Fred Hadid (OYK) that the City was still awaiting submittals, including an assessment by ADS for the proposed joint repairs of the underground stormwater detention system. A schedule was also required to estimate additional engineering escrow needed.

#### February 7, 2023

Ashburn (OHM) sends an additional email to Hadid, Tack, and Christie Nazal (OYK), indicating that submittals have not been received since the January 4, 2023 agreement.

#### March 7, 2023

OHM receives some underground stormwater detention repair specifications from Hadid (OYK). However, these documents do not encompass all necessary certifications / hold harmless forms since they are written by the distributor of the ADS system, not ADS.

#### February 8, 2023- March 23, 2023

East Edge installs the remaining water main and sanitary sewer.

#### March 9, 2023

Hannah Driesenga (OHM) requests a site meeting to review the proposed repair. Representatives from the City, OHM, OYK, and ADS must attend to ensure the repair is acceptable to all parties.

#### March 13, 2023

Tim Juidici (OHM) again requests a site meeting to review the proposed repair.

#### March 20, 2023

The City Council approves the PUD revision, allowing an increased density within the building, with the condition that the project and all site improvements shall be completed by July 1, 2024. Following the approved site plan/PUD revision, changes were required to the building construction drawings approved in May 2020. The previously approved Building Permit was canceled/withdrawn due to the project change, the corresponding invoice was voided as the Building Permit fee, and OYK never paid water/sewer fees.

### March 23, 2023

Nazal (OYK) called Ashburn (OHM), requesting that OHM be onsite to monitor the installation and repair of the underground stormwater detention system. Ashburn denied the inspection request since no site meeting had been held. In a follow-up email, Ashburn again requests a site meeting. Hadid (OYK) responds that everyone from OYK, East Edge, and ADS will be on-site on March 24 if the City and OHM want to attend.

### March 24, 2023

On this date, OHM, City staff, OYK, East Edge, and ADS held a site meeting. A summary of the meeting is below.

- Current repair work has not been reviewed or approved by the City or OHM.
  - The work conducted is outside the scope of the original engineering approval and, therefore, requires appropriate submittals and approvals.
- On-site Verbal agreement from OYK to close the existing gap in the detention system to prevent further deterioration or erosion.
- City explains submittals needed, including the following:
  - ADS' recommendation for repairs to be made to the system.
  - Means and methods for repair approved by ADS.
  - Any warranty information available.
  - Previous photos which were taken of the detention system.
  - Comprehensive scope of repair work.

Hadid (OYK) advised DPW Director Steve Baldante (AH) via phone that submittals will be received no later than March 27, 2023.

### March 28, 2023

Lang (AH) emailed Hadid and Tack (OYK) requesting submittals agreed to on March 24. Hadid (OYK) responded with a portion of the required submittals and advised,

*"I've been actively involved in further discussions with both our subcontractor and supplier to ensure that moving forward, we are utilizing the most effective, efficient, and acceptable method for the detention system. Once the finalized method is determined on our end, both OHM and City of Auburn Hills will receive the update."*

### April 10, 2023

Email from Hadid (OYK) to Auburn Hills and OHM:

*"I am writing to provide you with the finalized method on the installation for the detention system at Avant. As a part of our commitment to ensuring that the detention system is installed to the manufacturer standards, OYK has conducted a thorough review of possible procedures in consultation with ADS Engineers and our site contractor. After careful consideration, we have determined that the proper approach is to remove and reinstall pipe sections as originally planned, following the manufacturer's instructions and standards. To commence the process, our contractor will first remove the end caps and then proceed to remove the pipe sections from east to west, working their way towards the header pipe. Each section of pipe will be cleaned and inspected as they proceed. This process will continue towards the header section until they find pipe sections that are properly installed and sealed. Our contractor will then begin to reinstall the removed pipes with proper installation and with proper backfill of stone at the appropriate elevation to secure the pipe. Additionally, the contractor will place and compact the correct amount of fill on top of the*

*system to ensure that it is properly secured from any movement. It is important to note that all of these steps will be carried out in compliance with ADS regulations and standard. We will ensure to keep the City and OHM, informed and updated on the progress schedule, and please advise if you have any questions.”*

#### **April 27, 2023**

East Edge begins removing sand from the underground stormwater detention system to facilitate the removal of the system.

#### **April 27, 2023 – May 6, 2023**

Several emails between OYK and OHM discuss appropriate backfill for the underground stormwater detention system. OYK would like to use Class II backfill (sand) instead of the approved Class I (stone) backfill. On May 6, OYK requests a site meeting to review and approve the backfill material and discuss the project’s progress.

#### **May 9, 2023**

Site meeting to discuss pipe reinstallation and backfill material with City staff, OHM, OYK, East Edge, and ADS representatives. Determined that the pipe needed to be removed from the header, and Class II backfill will be used.

#### **July 11, 2023**

No restart date has been determined as OYK is negotiating pricing with East Edge for the removal and reinstallation of the pipe. City staff have requested a start date via email and phone so OHM can prepare for inspections.

#### **August 15, 2023**

Tack (OYK) advised they intend to begin foundation excavation before the underground stormwater detention reinstallation. OYK and East Edge are still negotiating a price for the reinstallation. **OYK was advised that they could not begin excavating or pouring foundations until the City issued the foundation/shell permit for the building.**

#### **August 17, 2023**

Nazal, Hadid, and Tack (OYK) were advised via email that revised Building Permit plans and applications must be submitted before foundation work begins. OYK was advised that the previously assessed plan review fee will be credited toward the current permit.

#### **September 19, 2023**

Tack (OYK) states that OYK is still negotiating a price with East Edge to reinstall the underground stormwater detention system.

#### **September 25, 2023**

The City issued OYK a violation notice for hazardous site conditions and repeated failure to maintain the growth of grass and weeds. The notice was sent via USPS mail.

#### **October 2, 2023**

The City received no response from OYK to the violation notices; an email was sent to OYK to follow up on on-site issues.

#### **October 3, 2023**

OYK will be fencing the property and will maintain the weeds.

### **October 20, 2023**

OYK submits revised foundation permits to the City. OYK advised that complete sets of plans will need to be submitted for plan review.

### **October 25, 2023**

The property has been fenced, and the weeds have been cut. The site complies with City ordinances.

### **October 27, 2023**

Lang (AH) emails Tack and Nazal (OYK) to remind them that the water/sewer fees (\$192,228) are due in addition to the Building Permit fees when the plan review is completed.

### **December 7, 2023**

**The City received full construction drawings (the first submittal reflecting the revised project) from OYK and Designhaus.** These include revisions to the architectural, structural, mechanical, electrical, and plumbing plans, which were updated to reflect the City Council's revised PUD approval on March 20, 2023.

### **December 12, 2023**

City staff, OHM, OYK, East Edge, and ADS met to discuss the underground stormwater detention on site. OYK was given the following action items.

- ADS will inspect the underground stormwater detention system, with the City and OHM present, to determine whether an existing pipe can be reused.
  - If re-use is approved, ADS must provide written documentation to the City / OHM
- Underground stormwater detention system to be installed per approved submissions.
  - Any revised submittals must be reviewed and approved by OHM.
- Additional escrow must be paid.
- Water/sewer tap fees (\$192,228) have not been paid and are outstanding.

## **2024**

### **January 18, 2024**

The City completed the Building Plan review of the construction drawings. Based on the ICC cost of construction, a total plan review fee of \$41,061 was calculated. Crediting OYK \$25,528 for the previously paid plan review fee, the outstanding plan review balance is \$15,533.

### **February 8, 2024**

City staff and OHM received notice that East Edge has withdrawn from the project due to OYK's failure to meet the construction requirements.

### **February 12, 2024**

Water/sewer fees (\$192,228) paid to DPW.

### **February 26, 2024**

Site meeting with City staff, OHM, OYK, and ADS. ADS inspected the pipe and determined that most of it should be able to be reinstalled. However, the removal process significantly damaged some sections of the pipe. These sections should be discarded or cut to remove the damaged section and coupled back together. OYK will be reinstalling the detention system and backfilling it to ADS-approved specifications.

### **March 5, 2024**

**The City received the updated/revised full construction drawings (second submittal) from OYK and Designhaus.** The \$15,533 plan review fee has not been paid.

### **March 21, 2024**

The plan review is completed on the March 5, 2024 submittals. Building Official Jeff Spencer, other City staff, Sal Lorenzo (Designhaus Architecture), Nazal, and Tack (OYK) met at the City offices to discuss revisions to construction documents that must be made before they can be approved. The plan review fee has not been paid.

### **March 22, 2024**

Spencer (AH) sent a follow-up email to Nazal (OYK) and Lorenzo (Designhaus), listing the changes that need to be made to the construction drawings for approval.

### **April 4, 2024**

Lang (AH) emailed Hadid and Nazal (OYK) to request that revisions be submitted. A fee schedule with an explanation of fee calculation was also provided.

### **April 29, 2024**

Director of Community Development Steve Cohen sent Hadid (OYK) a PUD expiration notice via mail and email regarding the Avant PUD's City Council approval. Mr. Cohen explains that a response must be received to request an extension from the City Council, as the project expires on July 1, 2024.

### **May 2, 2024**

No response was received from OYK regarding an extension request; Cohen (AH) sent a second notice via email to Hadid (OYK)

### **May 10, 2024**

Hadid (OYK) responds to the request for a formal explanation of delays with the letter and construction schedule included in the packet.

### **May 15, 2024**

Designhaus provides a response to the plan review and March 21, 2024, meeting.

### **May 20, 2024**

City Council approved PUD extension, subject to deadlines outlined in the development agreement.

### **May 23, 2024**

Building permit revisions (from the March 21, 2024, meeting) were approved based on Designhaus' response (May 15, 2024).

### **May 28, 2024**

Cohen emails Hadid to sign and notarize the development agreement on May 20, 2024, per the City Council's conditions.

### **June 5, 2024**

Fees were paid, and a foundation shell permit was issued.

**June 6, 2024**

OYK delivered the signed development agreement to Community Development.

**June 6, 2024**

A grass violation was sent to OYK for unmaintained grass/weeds.

**June 11, 2024**

Footing Inspection.

**June 13, 2024**

Footing Inspection.

**June 6, 2024**

Grass/Weeds cut by City.

**June 18, 2024**

Footing Inspection.

**June 20, 2024**

Footing Inspection.

**July 3, 2024**

Footing Inspection.

**July 17, 2024**

Designhaus provides structural revisions requesting to change the construction type between the parking deck and first-floor construction.

**July 31, 2024**

The Building Official requests additional information on the proposed changes, including how this will impact the structure's height.

**July 31, 2024**

Grass/Weeds cut by City.

**August 21, 2024**

Footing Inspection.

**August 27, 2024**

Cohen e-mails Hadid to notify him of the upcoming deadline (September 9, 2024) that will not be met based on the pace of construction. Response required September 3, 2024, at 8:30 a.m.

**August 30, 2024**

Grass/Weeds cut by City.

**September 3, 2024 (10:41 a.m.)**

Hadid e-mails request for an extension.

**September 4, 2024**

Footing Inspection.

#### **September 5, 2024**

Additional information requested on July 31, 2024 is provided related to the structural changes and the changes are approved.

#### **September 9, 2024**

City Council approved PUD extension, subject to deadlines outlined in the revised development agreement.

#### **September 10, 2024**

Footing Inspection.

#### **September 11, 2024**

Cohen emails Hadid to sign and notarize the development agreement by September 23, 2024, per the City Council's conditions.

#### **September 23, 2024**

OYK delivered the signed development agreement to Community Development.

#### **September 23, 2024**

Footing Inspection.

#### **October 4, 2024**

Footing Inspection.

Note: Related to this project, footing inspections have looked at spread footings (underground) and wall forms before concrete is poured.

#### **November 5, 2024**

Footing Inspection.

#### **November 6, 2024**

Footing Inspection.

#### **November 7, 2024**

Footing Inspection.

#### **November 8, 2024**

Footing Inspection.

Note: No footing inspections have been performed since 11/08/2024. Based on staff observations, work conducted by OYK since the 11/08/24 inspection has primarily focused on additional site grading. City staff has not been called/requested to conduct inspections during this time, as inspections are not required for this type of work.

#### **November 18, 2024**

Director of Community Development Steve Cohen sent Hadid (OYK) a PUD expiration notice via email. Mr. Cohen explains that a response must be received by November 21, 2024 by 5:00pm to request an additional extension from the City Council.

#### **November 21, 2024 (4:35 p.m.)**

Hadid e-mails request for extension consideration.



**CITY OF AUBURN HILLS**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES - EXCERPT**

SEPTEMBER 9, 2024

**CALL TO ORDER &** Mayor Marzolf at 7:00 PM.

**PLEDGE OF ALLEGIANCE:**

**LOCATION:** Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

**ROLL CALL:** Present: Council Members Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Beckerleg, Deputy Klassen, Chief of Police Gagnon, Director Cohen, Asst to Dir./Construction Coord. Lang, Economic Developer Carroll, Appraiser of Commercial Properties Griffin, DPW Director Baldante, Mgr of Fieldstone Hierlihy, Mgr of Municipal Properties Wisser, Assistant to the Manager Hagge, Engineer Juidici, Engineer Driesenga

18 Guests

**8. UNFINISHED BUSINESS**

**8a. Motion – To extend the Revised PUD Step Two - Site Plan and Tree Removal Permit Approval / The Avant at Five Points**

Mr. Cohen presented the request for an extension for the Avant at Five Points Drive which was originally approved five years ago. He commented that three months ago this project was to have the first floor completed as part of conditions of the approval. Mr. Cohen provided that they have worked with a number of timelines and set the timelines based on a discussion that took place in May. Those timelines were not met. He shared that there has to be some movement on their part to get more resources into the site. There is a lot of work to be completed, and they need to accelerate their progress.

Council voiced their concerns about the delays in the project and that they have not met the deadlines that have been requested of them. Council stated that they are understanding of delays due to Covid, but at this time there needs to be more progress. Mayor Marzolf stated that in the time this project has been going on, many other projects have been designed and occupied.

Mr. Hadid of OYK Engineering & Construction and the Project Manager, Jim Tack were present. They stated that the reason for the delays were based on the approval of the permits, water/rain issues and complex construction that is a logistical issue. It was also shared that they could not move forward until the detention system was 100% complete.

Mr. Tanghe mentioned that the city is a development friendly community and is attentive to both the residents and businesses within the community. He commented that he did not appreciate the city being blamed for the delays. He stated that the initial installation was done incorrectly and that it had to be torn out and then installed correctly.

Mr. McDaniel asked Mr. Hadid if he felt this project could fulfill the recommendations of the first floor going vertical by December 9<sup>th</sup> ~~and if is this realistic.~~ and if this is realistic.

Mr. Hadid commented that they are moving forward on a continuous basis and that as soon as the foundation is installed, then everything will be put in place.

Mr. Tack commented that it is a stringent request and requested clarification as to what was needed by the December 9<sup>th</sup> deadline.

Mr. Lang provided clarification stating that first floor construction, meaning the parking deck, is to be done and the issue that is currently going on in the structural set between what is the first floor, and the parking deck division is resolved. He stated that currently they are waiting on revisions from DesighHaus for OYK. He reiterated that the roof of the parking deck needs to be done, and the first floor needs to be going up.

Mr. McDaniel questioned Mr. Hadid if these conditions could be met by the December 9<sup>th</sup> deadline and if not, what would be completed at that time.

Mr. Hadid stated that he did not think that he could make that deadline and stated that according to his schedule, the first-floor installation would be March 2025. He shared that the issues are more than the progress, there is a lot of structural steel in the lower level that is all tied in the joist, the bar joist, the decking, and the floor pours. There are two stair towers that go all the way to the basement and the elevator shaft, balancing all of this. The logistics of the site will affect everything around it.

Attorney Beckerleg stated that the applicant has basically asked for no deadlines, and that is unworkable when a project has gone on this long. He shared that Mr. Hadid has not stated that he won't meet the deadline, he did not state that they cannot meet the deadlines. There is a distinction between the two.

Mr. McDaniel stated that it is not in the best interest of the city to vacate the project and leave the material there. He understands that steel has been ordered. He commented directly to Mr. Hadid that if the deadlines were not met, he will not need to come back before this board that he has already signed that he will vacate the project.

Mr. Hadid stated that the contract says so. He commented that this project has had a lot of challenges. He is hopeful to have the Certificate of Occupancy in February 2026 and that in March of 2025 is when they plan to go vertical.

Ms. Verbeke stated that she is not in favor of voting for something that is going to fail.

**Moved by Knight, Seconded by Hawkins.**

**RESOLVED: To selection Option A**

**OPTION A**

**To extend the Revised PUD Step Two – Site Plan and Tree Removal Permit approval for The Avant at Five Points from July 1, 2024 to March 30, 2026, subject to the following conditions:**

- 1. The City Attorney shall update the First Amendment to the Development Agreement by revising the conditions of this extension approval. If OYK fails to sign and return the updated agreement to the City by noon on September 23, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.**

2. If OYK meets the completion deadline for Item #1 but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by December 9, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.
3. If OYK meets the completion deadline for Item #2 but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by June 1, 2025, then OYK will voluntarily terminate the Planned Unit Development approval.
4. OYK shall complete all site improvements and landscaping per the approved Site Plan by November 15, 2025.
5. OYK shall complete the development and obtain a final Certificate of Occupancy Permit from the City by March 30, 2026.
6. If the Planned Unit Development approval is terminated, then OYK shall, at its own cost, remove all incomplete structures and foundations from the site and restore the site as directed by staff in accordance with City Ordinances. If OYK fails to restore the site as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the applicant for work performed by the City that the OYK fails to complete and place a lien against the property in the OYK does not pay such costs incurred by the City.

**VOTE: Yes:** Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel

**No:** Verbeke

**Resolution No. 24.09.137**

**Motion Carried (6 - 1)**



**CITY OF AUBURN HILLS**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES - EXCERPT**

**MAY 20, 2024**

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**CALL TO ORDER &** Mayor Marzolf at 7:00 PM.

**PLEDGE OF ALLEGIANCE:**

**LOCATION:** Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

**ROLL CALL:** Present: Council Members Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Roberts, City Clerk Pierce, Deputy Chief of Police McGraw, Fire Chief Massingill, DPW Director Baldante, Manager of Fleet & Roads Hefner, Community Development Director Cohen, Asst to Dir./Construction Coord Lang, Deputy Assessor Collias, Economic Development Manager Carroll, Assistant to the Manager Hagge, Engineer Juidici & Driesenga

19 Guests

**4. NEW BUSINESS**

**9e. Motion - To extend the Revised PUD Step Two - Site Plan and Tree Removal Permit Approval / The Avant at Five Points.**

Mr. Cohen presented the request from OYK Engineering & Construction for an extension of The Avant's PUD approval due to construction delays associated with addressing the incorrect installation of the project's underground stormwater detention system. He explained the background of the project and noted that a condition of the City Council's approval of the revised project required that the development, including all site improvements, be completed by July 1, 2024. He noted that the detention system has now been resolved and is functioning, but the project will not be completed by July 1<sup>st</sup>. He stated that Mr. Hadid, with OYK Engineering & Construction, believes that the project will be complete in 18 months, once construction begins on the building foundations.

Fred Hadid, owner and developer of the project, explained that the delays were caused by difficulties with the underground detention system. It is now complete and ready for the foundation. Mr. Juidici confirmed that they have not noted any residual or additional water issues related to the development.

Mayor Marzolf expressed concerns that it is too much building for the site, the water issues, and the substantial amount of permit fees that have not been paid. In addition, he stated his concern that the wetland that was filled in.

Mr. Hadid confirmed for Council that he is able to meet the deadlines in the motion.

**Moved by Knight, Seconded by McDaniel.**

**RESOLVED:** To extend the Revised PUD Step Two – Site Plan and Tree Removal Permit approval for The Avant at Five Points from July 1, 2024 to December 30, 2025, subject to the following conditions:

1. The First Amendment to the Development Agreement previously drafted by the City Attorney after the revised project's March 20, 2023 approval has yet to be signed by all parties and recorded with the Oakland County Register of Deeds. The City Attorney shall update the First Amendment to the Development Agreement by adding the conditions of this extension approval. If OYK Engineering and Construction (the applicant) fails to sign and return the updated agreement to the City by June 7, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.
2. If the applicant meets the completion deadline for Item #1 but fails to begin pouring the foundations of the building by June 25, 2024, in accordance with the City-approved Building Permit, then the applicant will voluntarily terminate the Planned Unit Development approval. The applicant shall obtain Building Permit approval from the Building Official and pay the Building Permit and Building Plan review fees totaling \$149,672 to the City before the commencement of this work.
3. If the applicant meets the completion deadline for Item #2 but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by September 9, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.
4. If the applicant meets the completion deadline for Item #3 but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by March 1, 2025, then the applicant will voluntarily terminate the Planned Unit Development approval.
5. The applicant shall complete all site improvements and landscaping per the approved Site Plan by October 15, 2025.
6. The applicant shall complete the development and obtain a final Certificate of Occupancy Permit from the City by December 30, 2025.
7. If the Planned Unit Development approval is terminated, then the applicant shall, at its own cost, remove all incomplete structures and foundations from the site and restore the site as directed by staff in accordance with City Ordinances. If the applicant fails to restore the site as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the applicant for work performed by the City that the applicant fails to complete and to place a lien against the property if the applicant does not pay such costs incurred by the City.

**VOTE: Yes:** Ferguson, Fletcher, Hawkins, Knight, McDaniel, Verbeke

**No:** Marzolf

**Resolution No. 24.05.81**

**Motion Carried (6 - 1)**



**CITY OF AUBURN HILLS**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES - EXCERPT**

MARCH 20, 2023

**CALL TO ORDER:** Mayor McDaniel at 7:00 PM.

**LOCATION:** Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

Present: Mayor McDaniel, Council Members Carrier, Cionka, Knight, Marzolf, Verbeke

Absent: Council Member Hawkins

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Ballantyne, City Clerk Pierce, Police Chief Gagnon, Fire Chief Massingill, DPW Director Baldante, Mgr of Fleet & Roads Hefner, Mgr of Municipal Properties Wisser, Mgr. of Public Utilities Deman, Community Development Director Cohen, City Planner Keenan, Construction Coord Lang, Management Assistant Hagge, Engineers Juidici & Driesenga

13 Guests

**9. NEW BUSINESS**

**9a. Motion – To approve the Revised PUD Step Two – Site Plan and Tree Removal Permit / The Avant at Five Points.**

Mr. Cohen presented the revisions for The Avant at Five Points PUD project and shared that this project was originally approved by City Council on November 18, 2019. He stated that the developer is wanting to change the interior units from 61 units to 68 units, removing the option for three-bedroom dwellings. These will be rental units per the original agreement. He stated that the physical structure will not be changing, only the interior designs. These changes will require seventeen additional parking spaces. He explained that there have been two main issues causing concerns from residents in the area: landscaping and excess water.

Mr. Hadid, owner of OYK Engineering and Construction was present.

Mr. Juidici explained that the existing water issues are due to the high-water table. He stated that swales will be installed to manage the different elevations allowing water to exit into the Hobart Drain and the storm water system, which at this time is only partially installed. It was also explained that there will be trees installed on the property to help with landscaping issues.

Patty Hassett, 2471 Joswick, addressed her concerns regarding the excess water and the workmanship of the project.

Mario DiBartolomeo, 2401 Joswick, spoke to the concerns regarding the craftsmanship and the elevation of the building.

Mayor McDaniel shared that he understands the concerns of the residents. However, he believes the engineering firm will make sure the developer follows the Development Agreement, or they do not get an occupancy permit. He also stated that the engineers have confirmed that what has been proposed will help the current water situation. Staff will handle any concerns with the wall through Code Enforcement. He reminded City Council that this area is zoned for B-2, which could allow for another type of establishment to be developed here.

Mr. Cohen reported that this land is zoned as B-2 but with a PUD overlay. He stated the PUD will address concerns with the wall. He stated that the wall, that was being referenced, did not display proper workmanship, so it was torn down and rebuilt and now displays a high level of workmanship.

Mr. Marzolf stated that he appreciates all the efforts that have been made. He stated that he has a fundamental problem with developing a wetland area. He also questioned the harmonious relationship with the development and the neighborhood, and this may have a detrimental effect on the natural characteristics of the parcel. He feels that there is too much of a development for too small of an area and expressed concern with water issues in the future that will be difficult to remedy.

Ms. Verbeke also shared her concerns regarding this development and is not in favor of developments where there are wetlands. She stated that Council has a responsibility to make sure the PUD is in the best interest of the community. She commented that if she lived in this area, she would have problems with the excess water as well. However, she stated she also understands the situation from the developer's point of view and his struggles with trying to complete a project through difficulties which have delayed the project.

**Moved by Cionka, Seconded by Knight.**

**RESOLVED: To accept the Planning Commission's recommendation and approve the Revised PUD Step Two – Site Plan and Tree Removal Permit for The Avant at Five Points to construct a multiple-family residential development, subject to the conditions of the City's Administrative Review Team. The revised project, including all site improvements, shall be completed by July 1, 2024.**

**VOTE: Yes: Carrier, Cionka, Knight, McDaniel, Verbeke**

**No: Marzolf**

**Resolution No. 23.03.032**

**Motion Carried (5- 1)**



CITY OF AUBURN HILLS  
PLANNING COMMISSION  
MINUTES - **EXCERPT**

March 8, 2023

**CALL TO ORDER:** Chairperson Ouellette called the meeting to order at 7:00 p.m.

**ROLL CALL:** Present: **Sam Beidoun, Dominick Tringali, Laura Ochs, Cynthia Pavlich, Brian Marzolf, Greg Ouellette**  
Absent: Carolyn Shearer, Chauncey Hitchcock, Ray Saelens  
Also Present: Director of Community Development Steve Cohen, City Planner Shawn Keenan  
Guests: 10

**LOCATION:** City Council Chambers, 1827 N. Squirrel Road, Auburn Hills, MI 48326

## **5. PETITIONERS**

### **5a. The Avant at Five Points (7:02 p.m.) Public Hearing/Motion – Recommendation to City Council for approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit to construct a multiple-family residential development.**

Mr. Keenan explained that this is a request from OYK Engineering and Construction (OYK) for approval to revise the site plan, previously approved by City Council on November 18, 2019. The revised plans call for a 68-unit, low-rise multi-family residential development on the 2.66-acre parcel located at 3355 Five Points Drive that is zoned B-2, General Business district.

The applicant provided a letter from his attorney explaining the reason for the delay and the changes in the plan. The general appearance and function of the proposed building will remain the same as previously approved by the City Council with the following revisions to the site plan:

1. Seven apartment units were added to the building, increasing the total number from 61 to 68 units. The unit makeup is now closer to a 50/50 mix of one and two-bedroom units.
2. The building façade has fewer windows and balconies than the previously approved building.
3. Seventeen parking spaces were added to the outdoor parking lot, with the parallel parking spaces being converted to 90-degree parking spaces.
4. The drainage swale was extended along the north, west, and south property lines.
5. The number of landscape trees was increased from 65 to 75 trees with the extra trees to be planted in the west buffer.

All seven design elements from the previous plan are carried over to this plan. The applicant also agreed to further enhance the buffer by adding ten more trees to help address residents' concerns about vehicle headlights. Staff would like to note that the site design exceeds City standards for buffer area and screening requirements designed for developments that immediately abut a one-family zoning district.

Construction is anticipated to begin in spring 2023, with completion by spring 2024. The total investment is estimated at \$10 million.

**Peter Stuhlreyer, Designhaus Architecture, 3300 Auburn Road, Suite 300, Auburn Hills, MI 48326 and Fred Hadid, OYK Engineering & Construction, 30700 Telegraph Road, Franklin, MI 48025** and the rest of their team were available to answer any questions of the Commission.

Mr. Beidoun asked what precipitated the re-design to smaller units. Mr. Stuhlreyer explained that market analysis revealed that it would be prudent to modify the design given current conditions. The three-bedroom units were changed to one-bedroom units.

Mr. Marzolf stated he was concerned with the wetland area in 2019, and is still concerned. He asked the applicant how the standing water on the site is being handled. Mr. Stuhlreyer stated that drainage and excavation will be part of the engineering process. He explained that they will be installing two sump pumps to redirect the surface water.

Jim Tack, OYK Engineering, explained that around the holidays' OHM requested that a bulkhead be installed at the exit point. Prior to that, the water had been removed down to 2'. The applicant discovered that clay tiles had been installed years ago and the water was draining from the AT&T site. This was mostly surface water. The clay tiles have been removed, and repairs will be done to fix the detention area.

Mr. Marzolf asked if it could be spring fed. Mr. Tack stated that there was no underground spring. PEA and OHM have both been to the site. Mr. Stuhlreyer stated that they would not pursue the project if there was a concern with the engineering.

Ms. Ochs asked where the water was redirected to once those clay tiles were removed. Mr. Tack stated that the water was stopped from entering this property by removing those clay tiles draining water from the AT&T property.

Mr. Tringali asked if the elevation and height of the development would be staying the same as originally approved in 2019. Mr. Stuhlreyer confirmed that elevation and height have not changed.

Mr. Ouellette asked if the lighting on the property would stay on all night. Mr. Stuhlreyer explained that the lighting will be shielded in such a way as to shine down and will not leave the site. It is the minimum lighting required for safety. He stated that they would follow the code and provide calculations in the permitting process.

Mr. Cohen stated that the police department will require lighting to be on all night for safety and security purposes. It will be at a minimum level and directed downward.

Mr. Ouellette asked if the wall, berm and screening will be sufficient to protect neighboring properties from headlights. Mr. Stuhlreyer explained that the light will be completely shielded from Joswick. The applicant has measured the height of headlights on a number of larger vehicles. The 6' screening wall and 4' berm with trees on top will be more than sufficient to screen neighboring properties. He further explained that the proposal exceeds the City's standards.

Mr. Marzolf asked about the building permit that the applicant had referenced. Mr. Cohen explained that a building permit had been issued for construction under the original approved project. The applicant has chosen to modify their plan and will need to apply for a new permit if site plan amendments are approved.

Mr. Ouellette opened the public hearing at 7:26 p.m.

Patricia Hassett, 2471 Joswick, stated that she appreciated the work the applicant did to measure the headlights. She expressed concern with the water in the pond, concern with the underground parking and the noise from two constantly running sump pumps. She also stated that by changing the 3-bedroom units to 1-bedroom units there will be a lot more cars on the site, increasing traffic in the area.

Mario DiBartolomeo, 2401 Joswick, stated that he is concerned with the headlights. He feels the headlights will shine onto his property and requested that the applicant plant arbor vitae to help screen the area. He is also concerned with the water. Additionally, he questioned the applicant's hardship.

Mr. Ouellette asked the applicant to describe the noise from the sump pumps. Mr. Stuhlreyer explained that the sump pumps are submersible pumps in the parking structure, below the slab. The parking structure is enclosed and has a door. He confirmed that there will be no noise pollution from the sump pumps. Mr. Ouellette asked if the sump pump drains into the storm sewer. Mr. Stuhlreyer confirmed that it does drain into the storm sewer.

Mr. Beidoun asked if the applicant was open to adding arbor vitae to provide further screening for Mr. DiBartolomeo's property. Mike Pizzola, Designhaus, explained that 6'-8' evergreen trees are being planted. These trees will provide much more screening than arbor vitae. There will also be deciduous trees, and more evergreens adjacent to the parking area. Ornamental trees will be planted, as well as oak trees. There will be more screening designed to block headlights than is required by the City.

Mr. Tringali asked if engineering had reviewed the plan. Mr. Keenan stated that the swale has been extended and engineering has reviewed the storm management plan.

Ms. Ochs asked Ms. Hassett when she observed standing water. Ms. Hassett stated that there has not been a

time that water was not on the site. Mr. Stuhlreyer explained that the clay tiles were removed in the fall of 2021, following record rainfalls. A sump pump was used to pump out the water and it was reduced to a level of approximately 1'-2'. The current water table is below the proposed basement elevation.

Ms. Ochs stated that she is sensitive to preserving trees and asked whether it would be possible to include some arbor vitae to provide additional screening. Mr. Tack explained that it is possible; however, he cautioned that arbor vitae grow to be approximately 3' wide at maturity. An 8' tall evergreen will provide 5'-6' of screening. He explained that the tiered approach that is being proposed will provide a solid mass of screening.

Mr. Keenan explained that the city's woodland consultant has looked at the plan. The future growth of the trees is taken into consideration. The applicant's proposal exceeds what is required for developments built immediately adjacent to a one-family residential district. The distance from the closest parking spot to the closest house is 191'. He also reminded the Commission that headlights are designed to shine out and down and do not stay on indefinitely.

There being no further public comments, Mr. Ouellette closed the public hearing at 7:37 p.m.

**Moved by Beidoun to recommend to City Council approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit for The Avant at Five Points to construct a multiple-family residential development, subject to the conditions of the City's Administrative Review Team. The revised project, including all site improvements, shall be completed by July 1, 2024.**

**Second by Tringali.**

**VOTE: Yes: Ochs, Tringali, Beidoun, Pavlich, Ouellette**

**No: Marzolf**

**Motion Carried (5-1)**



## CITY OF AUBURN HILLS

Regular City Council Meeting

Minutes - Excerpt

November 18, 2019

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**CALL TO ORDER:** Mayor McDaniel at 7:00 p.m.

**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor McDaniel, Council Members Burmeister, Hammond, Kittle, Knight, Moniz and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Fire Chief Taylor, Police Lieutenant Gagnon, Community Development Director Cohen, Recreation Director Hegdal, Senior Services Director Adcock, Finance Director/Treasurer Schulz, DPW Director Melchert, Deputy DPW Director Stahly, Director of Authorities Skopek, Deputy Clerk Klassen, Mgr of Business Development Carroll, City Engineer Juidici, Management Intern Hagge

30 Guests

### 15. NEW BUSINESS

15f. Motion – To approve the Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan / The Avant at Five Points.

Mr. Cohen presented the new development of a 61 unit, low-rise multi-family residential district through the PUD option. He stated that this is the best use of the land for this area and has less of an impact on the surrounding residential areas than the current zoning for a B-2 district.

Mr. Peter Stuhleyer, of Designhaus and Mr. Fred Hadid and Mr. Motaz Kaakarli of OYK Engineering, LLC were present to answer any questions. Mr. Stuhleyer shared that this area is ideal for this project. He shared that the designers have worked hard to meet all the recommendations that have been asked of them by staff. This site will have underground parking and surface parking which makes this property unique. When designing the property all the setbacks have been followed to make this property fall into full compliance with the ordinance. The storm water will be maintained in an underground detention facility, eliminating standing water. Mr. Stuhleyer shared that there will be interior trash and mail rooms, small gym and the building will have high security with key fobs, cameras and onsite management. The site will also have four electronic charging stations. Mr. Kaakarli stated that City Staff expected high standards thought out the process and they have worked diligently to obtain that.

Mr. Knight shared that the Joswick street residents are concerned about the wetlands being taken away. Mr. Juidici clarified that the wetland area on this site is only 1.05 acre. He stated that this is a "pocket" wetland and there is an outlet from this wetland that runs to the existing Hobart drain which is owned by the County and runs close to Joswick road. This wetland area is not regulated under the DEQ since it is less than 5 acres in size and is not near an inland lake or stream. It is also not regulated by the City wetland ordinance because it is under two acres and is not within 500 feet of a lake or stream nor is it critical to the protection of State resources. Mr. Juidici shared that the developer's proposal is to fill the wetland area that is on the site. He stated that the wetlands to the north of this site are not contiguous with this site and that it is isolated as its own pocket which outlets to the drain to the west. He stated that the intent is to drain towards the drain and then have the water carried away so that there is no standing water. Mr. Juidici stated that any issues with standing water for the residents on Joswick is a different matter. Mr. Moniz shared the concern regarding draining the detention pond by the YMCA. Mr. Juidici shared that there is possible wetland area nearby and that there is an existing detention pond that is part of the storm water management system for the YMCA.

Mr. Kittle questioned the need for pumps for the underground storm water storage. Mr. Stuhleyer stated that the underground storage, which collects from property to property, does not require pumps. He did share that the basement parking may require some type of sump pump to lift water to the storage area and then allow it to gravity drain into the storm sewer main. It was stated that the water on the site is standing water and not spring fed.

Mr. Burmeister shared his concerns regarding the traffic flow in the area, that there is no access to Joswick from the back of the development. He is concerned with traffic flow on Squirrel Road during rush hour and having backups on the surrounding streets. Lieutenant Gagnon stated that vehicles cannot be prohibited from utilizing city streets but he will look at prohibited turns onto Five Points Drive.

Mr. Knight and Mr. Kittle shared their thoughts regarding converting these apartments to condominiums. Mr. Knight wondered if this was a trend anymore with construction companies. Mr. Stuhleyer stated that it was an option that was presented to them but they do not intend to construct condominiums at this time. Mr. Kittle stated that he would love to see units that were for sale due to the City needing more home ownership. Mr. Stuhleyer stated that the provision of underground parking, could make these apartments convert to condominiums.

Mayor McDaniel provided time for residents to speak on the topic but clarified that this was not a public hearing.

Ms. Antonia Flores, 2379 Joswick Rd was present to share her opposition with this project. She spoke on the water pressure issues she has with her property. She is concerned that she could have sinkholes that might develop on her property due to this construction.

Mr. Mario DiBartolomeo, 2401 Joswick was present to share his opposition with this project. He stated that he is concerned that the thinking is the two wetlands are not connected. He stated that the wetlands are important and does feel that they are covered under the wetland articles in the City Ordinance.

Mr. Patrick Hassett, 2471 Joswick was present to share his opposition with this project. He stated that his concern is for the high density of people in this area.

Mr. Marzolf questioned the possibility of an open retention pond. Mr. Stuhleyer stated that it was discussed but not opted for because of the trees it would effect. The retention pond would not allow for the berm. If the retention pond were to be placed to the front of the property it would push the building too far back onto the property. It was discussed that the berm would be roughly five feet in height with plantings on top of that. The design was created to avoid headlights from being a nuisance to the residents on Joswick. Mr. Burmeister stated that he is hoping the trees that are on the property will continue to be a shield to the nearby residents.

Mr. Moniz stated that he originally voted no on this project at the Planning Commission meeting because he wanted to take a closer look at the issues and concerns of the residents. He stated that after taking time to review and walk the property that he is hoping this project will be good neighbors to the residents on Joswick.

Mr. Knight stated that he was not in support of this project until he saw that the PUD would bring about the best use of the property.

Mayor McDaniel stated that he wouldn't want the property to stay vacant or have something else built that would not be pleasant to the surrounding residents.

**Moved by Knight, Seconded by Kittle.**

**RESOLVED: To accept the Planning Commission's recommendation and to approve the combined PUD Step One – Qualification / Step Two – Site Plan for The Avant at Five Points subject to the conditions of the City's Administrative Review Team.**

**VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Moniz**

**No: Marzolf**

**Resolution No. 19.11.189**

**Motion Carried (5 - 1)**



## CITY OF AUBURN HILLS PLANNING COMMISSION MINUTES

October 16, 2019

**CALL TO ORDER:** Chairperson Ouellette called the meeting to order at 7:00 p.m.

**ROLL CALL:** Present: Moniz, Hitchcock, Ochs, Beidoun, Mendieta, Pederson, Ouellette  
Absent: Shearer, Pierce  
Also Present: Director of Community Development Cohen, City Planner Keenan, City Engineer Juidici  
Guests: 21

**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

### 5. PETITIONERS

**5b. The Avant at Five Points (f.k.a. Residences of Five Points (7:24 p.m.)  
Public Hearing/Motion – Recommendation to City Council for combined PUD Step One –  
Qualification/Step Two – Site Plan approval.**

Mr. Cohen introduced the request from OYK Engineering and Construction to build a 61-unit, low-rise multi-family residential development on 2.66 acres of land located north of University Drive, between Joswick Road and Five Points Drive. The parcel is zoned B-2, General Business district. The City's Master Land Use Plan allows the City Council, after Planning Commission recommendation, to approve this type of land use deviation via the PUD process. Mr. Cohen further explained that from a planning and zoning standpoint, multi-family residential land use is traditionally utilized on parcels like this to buffer commercial uses from nearby lower density single-family residential areas.

Mr. Cohen stated that, based on input from both the adjacent property owners and staff, the applicant worked to mitigate potential land-use conflicts in the following ways:

1. Lowering the building height from three stories to two stories on the Joswick Road side;
2. Positioning the building to be over 100' away from the west property line near Joswick Road;
3. Proposing a new concrete masonry screen along Joswick Road that connects to and is consistent with the existing adjacent masonry screen wall located along the roadway.
4. Preserving the existing tree stand and underbrush adjacent to Joswick Road in its natural state, with the addition of a 4-foot tall landscaped berm to create a buffer separation between the development and the roadway.
5. Significantly reducing the size of the surface parking lot by creating a secured underground parking garage with controlled access.
6. There will be no exterior trash receptacle. A trash storage area has been incorporated into the north side of the building.
7. Light poles will be shorter than required by City ordinance with LED cut-off fixtures specifically designed to direct light downward and to not allow light trespass.
8. There will be no pedestrian or vehicular access to Joswick Road.

Mr. Cohen stated that construction is expected to begin in September 2020, with completion by May 2021. The total investment is estimated at \$15 million.

**Peter Stuhlreyer, DesignHaus Architecture, 301 Walnut Blvd., Rochester, MI** was available to answer any questions of the Commission. Mr. Stuhlreyer stated that they have met with the neighbors on Joswick Road a number of times, and have designed the project so as to minimize the impact to the neighbors. The proposed berm and setback on the Joswick Road side is designed with the adjoining owners in mind. There will be no balconies on that side and the height of the building has been reduced to two stories on the Joswick Road side. He explained that most of the parking will be underground, providing major security for the tenants.

Ms. Pederson asked if the screening on the Joswick Road side could be higher. Mr. Stuhlreyer explained that it is

the perspective of the photograph that makes the vehicles look like they are above the screening.

Ms. Pederson asked if there is a concern that the three-bedroom apartments will be used by students, increasing the number of tenants that can be in each apartment. Mr. Stuhldreier explained that the price point for the apartments would not support student housing. He also confirmed that there will be a manager on-site.

Mr. Moniz asked where the water from the site will flow. Mr. Juidici explained that the stormwater drainage will be contained on-site with an underground detention system that will run to the County drain. He further explained that while the Hobart drain is clear, some of the yards on Joswick Road have obstructions. The drain was constructed in the late 60s/early 70s.

Mr. Moniz asked if there were any assurances to the residents on Joswick Road that they will be protected if issues arise. Mr. Juidici stated that he does not believe there will be adverse impacts, which would cause the pre-existing water issues on Joswick Road to be increased. Mr. Stuhldreier stated that because they will be handling all water on-site, he does not foresee any increased impact. They have discussed the possibility of a west edge catch basin, if necessary. If the water were to ever crest the road on the west side, a catch basin could be installed. Mr. Juidici confirmed that Joswick Road was built with ditches on either side, and the Hobart drain was designed to deal with both sides.

Mr. Moniz asked if the underground garage would have security cameras. Mr. Stuhldreier stated that there would be cameras and full fire suppression. It is anticipated that all residents will utilize the underground parking with any visitor parking utilizing the spaces on the south side.

Mr. Moniz expressed concern that this development will open up the possibility of additional PUD developments on Five Points Drive. Mr. Cohen reminded the Commission that the City has full control over the granting of PUD developments.

Mr. Ouellette asked whether these will be apartments or condominiums. Mr. Stuhldreier stated that they are being developed as apartments. That may change in the future, but not anytime soon.

Mr. Beidoun asked whether there will be electric charging stations. Mr. Stuhldreier confirmed that there will be four spaces.

Mr. Ouellette opened the public hearing at 7:47 p.m.

**Mario Di Bartolomeo, 2401 Joswick, Auburn Hills, MI** stated that he represents most of the property owners on Joswick Road, who are adamantly opposed to this proposal and have signed a petition to this effect. He noted several issues as follows:

- Joswick Road already experiences water issues. Filling in the wetlands could possibly redirect the excess water to their already saturated properties;
- The additional traffic will cut through Joswick Road to get to Walton, increasing traffic through their neighborhood;
- This is a high-density development that is not in keeping with their half-acre lots;
- This high-density development opens the door for other high traffic generating developments;
- The 24-hour unwanted noise and constant traffic impacting the quiet neighborhood;
- A commercial building with a retention pond on-site would be better suited.

**Patrick Hassett, 2471 Joswick, Auburn Hills, MI** stated that he has a major concern putting an excess of 120 people on this small parcel of land. He feels that it is too high a density for the area. He further expressed concern with the water issues and thanked the Planning Commission and DesignHaus for attempting to work with the property owners.

**Antonia Flores, 2379 Joswick, Auburn Hills, MI** expressed concern with the water issues on Joswick Road. She is also concerned that cut-through traffic, which is already a problem, will become an even greater issue. She asked if it would be possible to have speed bumps installed.

**Kay Reinke, 2359 Dexter Road, Auburn Hills, MI** stated that traffic cuts through Joswick Road in excess of 60 mph. She stated that while the police monitor it, they are not there during peak times.

**Robert Kittle, 4027 Hillsdale Drive, Auburn Hills, MI** does not feel that this development is a good use of the property. He does not feel that additional apartment buildings are needed in the area. He believes that young people are looking for affordable houses, and another apartment building would encourage a transient population. He stated that apartment buildings do not serve the residents and taxpayers of Auburn Hills.

Hearing no further comments, Mr. Ouellette closed the public hearing at 8:06 p.m.

Mr. Beidoun asked for further explanations regarding the water issue. Mr. Juidici explained that the water issues on Joswick Road are not related to the development of this site. The homes on Joswick Road were built in an area with a high water table. The groundwater flows to the south and east toward Galloway Creek, not backward toward Joswick Road. The water levels in the pond on the proposed site fluctuate seasonally.

Mr. Ouellette asked how this site was chosen for this development. Mr. Stuhlreyer explained that the applicant looked at properties along Five Points Drive. This site has been vacant for a number of years.

Mr. Ouellette asked whether Joswick Road could be posted "No Through Traffic." Mr. Juidici stated that he does not believe it could be designated this way because it is a public road. In order to change the designation, it would have to be changed to a private road. He further explained that traffic on Joswick Road has increased over the last couple of years due to a number of large construction projects that are now nearing completion. This may alleviate some of the cut-through traffic.

Mr. Moniz stated that he is very concerned with the water flow and the cut-through traffic on Joswick Road.

Mr. Stuhlreyer stated that this proposal offers much less density than could be proposed according to the zoning. The applicant began meeting immediately with the neighbors in order to bring the best proposal forward, offering the least impact to the neighbors.

Mr. Hitchcock stated that he is impressed with the efforts of both the residents and the developer. He stated that he felt the developer made every effort to lessen the impact on the neighbors and work with them.

Ms. Pederson asked what would make the project work better for the neighbors. Mr. Di Bartolomeo stated that because the property is zoned B-2, some type of commercial project would be more fitting for the area.

Mr. Moniz asked if there has been any interest in a commercial project for the site. Mr. Cohen stated that over his 20-year career at the City, he has not seen any commercial development interest in the property. He further stated that the question would be best addressed by the property owner, Tom Vestevich. Mr. Cohen explained that there is no guarantee that a future developer with a commercial project would be as willing to mitigate any potential nuisances/land use conflict with the adjacent residential area as this developer has been willing to do via the PUD negotiation process.

Mr. Ouellette stated that while the Commission needs to remain cognizant of the objections of the neighbors, they also have to consider what is best for the City as a whole.

Mr. Mendieta asked whether it would be possible to install speed bumps on Joswick Road. Mr. Juidici explained that traffic calming studies have shown that overall, speed bumps on a straight stretch of road actually cause significant speed increases. People tend to accelerate at a higher rate between the speed bumps. They would also create an issue with road maintenance and emergency vehicles.

Ms. Ochs asked if there was anything that could make this project more acceptable to the Joswick Road residents. Mr. Di Bartolomeo stated that the water issues would need to be addressed in writing that any issues would be corrected for them, and they would like Joswick Road to be designated as a dead-end road.

Ms. Ochs stated that Joswick Road experiences water issues without the site being developed because of the wetlands. The developer will be doing a lot to mitigate the problems and it is possible that issues would resolve to some extent. Mr. Juidici explained that the development would have an on-site water management system. That underground management system is the same whether the property is developed with this proposal or with a commercial proposal. There will be a sophisticated water system to keep water out of the area. The developer will manage the water to protect his investment. Further, traffic in a commercial development would be significantly higher than a residential use.

Ms. Ochs asked whether there was a way for residents to document their current water situation to show any change if the property is developed. Mr. Juidici explained that a baseline study would have to be done over a number of years, taking into account a number of variables.

Chairman Ouellette allowed additional public comment.

Mr. Di Bartolomeo stated that he has a petition signed by 13 property owners along Joswick Road. A copy of the petition was given to Mr. Keenan (attached).

**Moved by Hitchcock to recommend to City Council approval of the combined PUD Step One – Qualification/Step Two-Site Plan for The Avant at Five Points subject to the conditions of the City’s Administrative Review Team.  
Second by Beidoun.**



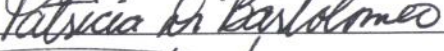


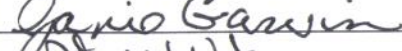


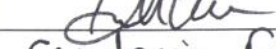
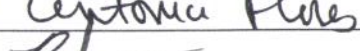




**VOTE: Yes: Pederson, Mendieta, Ochs, Hitchcock, Beidoun, Ouellette  
No: Moniz**

**Motion Carried (6-1)**

# **Petition in relation in to the new development proposal at 3555 Five points Drive**

Petition promoter- M. Di Bartolomeo 2401 Joswick Road - 586-212-6857 Initiated 9/28/2019

**We the undersigned do not want changes made to the area's zoning or implementation of a Planned Unit Development**

Printed name	Address	Signature	Date
MARIO D. BARTOLOMEO	2401 JOSWICK		9-28-2019
FRANCO DI BARTOLOMEO	2391 JOSWICK		9-28-19
Patricia Di Bartolomeo	2401 Joswick		9/28/2019
PATRICK W. HASSETT	2471 JOSWICK		9/28/2019
KATRICA A HASSETT	2471 Joswick		9/28/2019
JARVIS M. GARVIN	2335 JOSWICK		9/28/2019
PETER WINTER	2359 Joswick		9/28/2019
Amanda Hollen	2429 Joswick		9/28/2019
Dale Coats	undeveloped lot Joswick		9/30/2019
Antonia Flores	2379 JOSWICK Rd		9/30/2019
BRETT JOHNSON	2275 JOSWICK		10/3/2019
Craig Hurst	2321 Joswick		10/3/2019
Glenn Nelson	2459 Joswick		10/4/2019
Nicholas Demattin	2303 Joswick Rd.		10/20/19
THE SIGNATURES ABOVE REPRESENT VIRTUALLY 100% OF THE HOMEOWNERS ON JOSWICK			

Dear Members of the Auburn Hills Planning Commission,

The citizen property owners on Joswick road have reviewed the Five Points proposal documentation you sent. We have reviewed and discussed your proposal prior to this October 16, 2019 Planning Commission meeting. In the paragraphs below we have compiled and brought you the reasons we are unified and against this proposal.

We have been informed the proposed building site will be filled in and the water that currently flows in to that natural basin will be displaced or redirected. Filling in that large body of water that resides there poses the risk that residents might experience additional water on their properties. The city and the engineering firm have clearly stated they cannot and will not accept any liability risk. We feel none of the residents should be asked to accept that risk either.

We know from firsthand experience that there will be additional traffic if sixty-one additional rentals are built across the street. The easiest way to access Walton is to cut through Joswick. An increase in traffic occurred when the apartment buildings went up on the other side of Five Points. Increasing traffic on our residential street will hurt property values, increases the noise level, and presents an increased danger due to reckless speeding. Here too there is no reason to support such a construction project as there is only downside to the residents.

The MSU credit union located next to the proposed property development is moving. If the Five Points project is approved, it could open the door for further multiunit projects which would further drive an increase in traffic. Visitors to commercial buildings generally stay on the main roads and do not learn the quick short cuts. There is no reason the Joswick home owners would want to accept the possibility of even more traffic and road noise.

A sixty-one unit complex across the street will certainly add seven day a week noise to a relatively quiet neighborhood. The density of our neighborhood is one household per ½ acre. Your high density proposal is not what the citizens that purchased homes on Joswick expected, your proposal would definitely change the character of the neighborhood. The home owners knew the types of buildings they would be living next to before buying. Commercial buildings are generally busy during weekdays but in the evenings and weekends it really quiets down.

The original city planners assigned the proposed building site as B2. With the growing University and recent medical school addition there will be a need for supporting businesses requiring commercial buildings. A commercial building with an engineered retention pond would be well suited for that site. There is no reason to deviate from their well laid out plan. The Joswick citizens stand with the original planners zoning assignment (B2) in conformance and without deviation just as the parcels adjacent to it.

Accompanying this letter is a petition signed by virtually all of the Joswick citizens stating we do not want a change in zoning or a PUD implemented. We are missing just two signatures because we are still trying to make contact with them. Should this petition have to be presented at the city council meeting we anticipate it to be at a 100% proposal rejection.

The Joswick road citizens recommend rejecting this proposal prior to the November City Council meeting.

Your point of contact should you have any questions is-

Mario Di Bartolomeo

2401 Joswick, [mario@comcast.net](mailto:mario@comcast.net), 586-212-6857

October, 16, 2019

RECEIVED  
OAKLAND COUNTY  
REGISTER OF DEEDS

2020 FEB -6 PM 1:06

26823  
LIBER 53805 PAGE 787  
\$26.00 MISC RECORDING  
\$4.00 REMONUMENTATION  
02/06/2020 01:26:38 P.M. RECEIPT# 21193  
PAID RECORDED - OAKLAND COUNTY  
LISA BROWN, CLERK/REGISTER OF DEEDS

## AVANT AT FIVE POINTS PUD

### CITY OF AUBURN HILLS, OAKLAND COUNTY, MICHIGAN

### DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") dated January 20, 2020 by and between the City of Auburn Hills, a Michigan municipal corporation ("City") and OYK Five Points LLC, a Michigan corporation ("Developer") is entered into to confirm certain rights and obligations relating to the development and use of an approximately 2.66 acre parcel of property located in the City of Auburn Hills, Michigan, and more particularly described on the attached Exhibit A hereto (the "Property" and/or the "Subject Property").

### BACKGROUND

A. The Developer is the owner of the approximately 2.66 acre parcel of property located north of University Drive between and on Joswick Road and Five Points Drive in Auburn Hills, Michigan, as legally described and depicted on Exhibit A which is attached hereto and incorporated herein by reference.

B. Pursuant to Section 1830 of the Auburn Hills Zoning Ordinance, the Developer has applied for approval of the Site Plan on file with the Auburn Hills Community Development Department (the "Site Plan") which is part of the PUD process for the apartment development being known as Avant at Five Points ("Avant at Five Points") and on November 18, 2019 the Auburn Hills City Council approved combined PUD Step One – Qualification and PUD Step Two – Site Plan Approval ("Site Plan and PUD Approval"), for the Avant at Five Points, subject to several conditions including, but not limited to, the condition that the Developer and the City enter into a Development Agreement. The City approved Site Plan is on file with the Auburn Hills Community Development Department and is incorporated by reference in this Agreement.

C. It is the purpose of this Agreement to confirm the rights and obligations of the Developer and the City with respect to the development and use of the Subject Property.

NOW, THEREFORE, for good and valuable consideration given, the receipt of which is hereby acknowledged by the parties, it is agreed as follows:

1. The City approved Site Plan and PUD Approval, tree removal permit (administratively approved) and the terms of this Agreement shall govern the development and use of the Subject Property. Among other things, the City approved Site Plan and PUD Approval, tree removal permit and this Agreement shall establish landscaping, tree removal and replacement, drainage, setbacks, building elevations and design, building footprint, building height, building size and density, water course buffer, open space, greenbelt, parking lot, landscape, screening, fences, utilities, dumpster, sidewalks, pathway connections, parking and parking spaces number, size and location including, both the surface parking lot and the underground parking garage, and drive isle requirements and location. The City approved Site Plan and PUD Approval and this Agreement shall also establish the architectural style of the building that may be built at the Avant at Five Points. The Property shall be developed only in accordance with the City approved Site Plan and PUD Approval, including all materials and plans submitted and approved with the City approved Site Plan, City approved grading, utility and engineering plans, City approved tree removal permit, this Agreement, City Ordinances in effect on the date of this Agreement which are not in conflict with the City approved Site Plan, PUD Approval and this Agreement, including, but not limited to, the Auburn Hills Zoning Ordinance and other applicable laws, regulations, requirements and Ordinances (collectively referred to as the "Approval Requirements"). The City approved Site Plan and PUD Approval, the City approved tree removal permit, the City approved grading, utilities, landscaping and engineering plans, this Agreement and the Approval Requirements shall be deemed to satisfy all land use and other requirements for the City, including without limitation, the City's requirements and impositions, if any, under Ordinances relating to size, setbacks, density and heights of buildings, wetlands, woodlands, tree preservation, storm water management, parking, walkway, pathway connections, drive and roadway configurations and geometry, handicapped access, fire protection and fire department design criteria, building elevations and the like. In the event of any conflict with the City approved Site Plan and PUD Approval and this Agreement on the one hand, and City Ordinances on the other, the City approved Site Plan, PUD Approval and this Agreement shall control. To the extent that there are any construction or development issues that are not addressed by the City approved Site Plan and PUD Approval and this Agreement, the City administration shall determine such matters (and issue administrative waivers, if necessary), in order to reasonably achieve the goals and objectives articulated in the City approved Site Plan, PUD Approval and this Agreement.

2. Roads/Driveways and curb cuts, pathway connections, public sanitary sewer service, public water service, storm water drainage, detention and retention facilities, gas and electric utilities, parking facilities and parking spaces, including both the surface parking lot and underground parking garage, open space area, sidewalks, pathways, retaining walls, screening, fences, greenbelts, berms, landscaping and trees should be completely constructed, installed and provided by and at the sole expense of Developer to service the building at the Avant at Five Points in accordance with the Approval Requirements. The Developer or all successors in title as to the Property (as well as any and all portions thereof), including but not limited to, successor developer(s) and the purchasers and owners of any individual lot, parcel, or unit within the property, shall be responsible and obligated for the perpetual maintenance, repair and replacement of the roads/driveways, parking areas and spaces, including, but not limited to, the surface parking area and underground parking garage, sidewalks, pathways, retaining walls, drainage facilities, greenbelts, landscaping, trees and open space areas shown on the City approved Site Plan.

3. The Developer in accordance with the Approval Requirements shall at its own cost develop, install and construct on the Property an apartment building having a height of two stories near Joswick Road and three stories near Five Points Drive (resulting in heights for the building as shown on the City approved Site Plan) as depicted on the City approved Site Plan, containing 61 apartment dwelling units, with one bedroom, two bedroom and three bedroom apartment dwelling units ranging from areas of 520 square feet to 1,300 square feet. The Developer shall not construct any balconies on the building on the Subject Property within the western two story portion of the building, as detailed in the City approved Site Plan. The Developer shall, at its own cost, construct, install, maintain, and locate 53 parking spaces on a surface parking lot on the Subject Property and 100 parking spaces in an underground parking garage located on the Subject Property, with both the surface parking lot and underground parking garage to be constructed, installed and located by Developer, at its own cost, in accordance with the City approved Site Plan. The Developer shall, at its own cost, construct, install, locate and maintain sidewalks from the Avant at Five Points building to the existing eight foot pathway along Five Points Drive. At the time construction commences on the Avant at Five Points development, the Developer shall, at its own cost, construct, install, and locate a concrete masonry screening wall along the Subject Property's boundary with Joswick Road, which wall will also connect to and be consistent with the existing adjacent masonry screening wall along Joswick Road. At the time construction commences on the Avant at Five Points development, the Developer shall, at its own cost, install, locate and maintain a four foot tall landscape berm and other landscaping in accordance with the City approved Site Plan and landscaping plan to create a substantial buffer between the Subject Property and Joswick Road and the existing tree stand and underbrush on the Subject Property adjacent to Joswick Road shall be preserved by Developer in its natural state. The Developer shall, at its own cost, and in accordance with the City approved Site Plan, construct, install, locate and maintain the access drives to Five Points Drive as shown on the City approved Site Plan, with there being no pedestrian or vehicular access from the Avant at Five Points development to Joswick Road. The Developer shall, at its own cost, install, maintain and locate light poles on the Subject Property in accordance with the City approved Site Plan, said light poles not to exceed 17 feet in height and to contain LED cutoff fixtures designed to direct light downward on the Subject Property. The Developer shall, at its own cost, prepare and install at the locations shown on the City approved Site Plan, two vertical electric vehicle charging stations that will serve up to four electric vehicles with one electric charging station to be located on the south side of the building in the surface parking lot and the other electric charging stations to be located in the underground parking garage. The Developer shall, at its own cost, obtain from the City by November 18, 2020, the building permits for the Avant at Five Points. In the event that the Developer has not obtained from the City the building permits for the Avant at Five Points by November 18, 2020, then the parties agree and acknowledge that the PUD Approval for the Avant at Five Points shall be automatically revoked on November 19, 2020 without any additional hearings and/or actions by either party being necessary to effectuate the revocation of the PUD Approval. In the event that by November 18, 2020 the Developer has obtained from the City the building permits for the Avant at Five Points, then the Developer shall have construction on the Avant at Five Points project "substantially underway" by June 30, 2021, with "substantially underway" being defined for purposes of this Development Agreement as the Developer having, at its own cost, installed the underground utilities and completed the construction and installation of the Avant at Five Points building's footings and foundations. In the event that the construction on the Avant at Five Points project is not substantially underway by June 30, 2021, then the parties agree and acknowledge

that the PUD Approval for the Avant at Five Points project shall be automatically revoked on July 1, 2021 without any additional hearings and/or actions by either party being necessary to effectuate the revocation of the PUD Approval, with the Developer being required, at its own cost, to immediately remove any improvements that the Developer and/or its contractors and/or its subcontractors made on the Property and the Developer shall, at its own cost, revegetate and restore the Property so that the Property is safe and is restored to a grassy and/or vegetative state as the Property existed prior to the Developer purchasing the Property.

4. The architecture of the Avant at Five Points building shall be as set forth in the City approved Site Plan, PUD Approval and this Agreement.

5. Developer shall, at its own cost, be obligated to design, completely construct, finance and provide financial assurances in accordance with the Approval Requirements for the completion of all the improvements shown on the City approved Site Plan and PUD Approval for the Avant at Five Points project. Financial assurances required by the City shall be in the form and in the amounts required in the City Ordinances; provided, however, that the City agrees that the Developer may satisfy all financial assurances required for Avant at Five Points by escrowing funds with a title company satisfactory to the City, pursuant to an escrow agreement that is satisfactory to the City. In all instances in which the City utilizes the proceeds and financial assurances given to insure completion of the improvements pursuant to the City Ordinances, and the City approved Site Plan and PUD Approval, the City and its contractors and agents shall be permitted, and are hereby granted authority, to enter upon the property for the purpose of completing said respective improvements.

6. The foundation permits will be available upon the City approval of the grading to serve the building site. Building permits for the apartment building at Avant at Five Points shall be issued when water mains, sewer lines and other utilities are installed to service the building and have been accepted by the City and/or the appropriate utility companies and paved road access is available. The Developer shall, at its own cost, install, construct and locate all curb cuts and paved access streets/driveways, which curb cuts and paved access streets/driveways shall be constructed, installed and located in accordance with the Approval Requirements.

7. The City approved Site Plan and PUD Approval include a final landscaping plan and landscaping details and Developer shall, at its own cost, install, plant and locate all of said landscaping including berms, trees, shrubs and bushes in accordance with the final landscape plan and shall, at Developer's own cost, maintain said landscaping including berms, trees, shrubs and bushes and shall replace any landscaping including trees, shrubs and bushes that die. The Developer shall preserve the existing tree stand and underbrush on the Property adjacent to Joswick Road in its current natural state.

8. The City and Developer agree that all matters related to the use of signage on the Avant at Five Points property shall be governed by and comply with the City's Zoning Ordinance.

9. Based on the development and use of the Subject Property by the Developer and the Developer's construction of the Avant at Five Points on the Subject Property, pursuant to the Auburn Hills Woodlands Preservation Ordinance, the Subject Property requires 20 replacement

trees and the Developer shall, at its own cost, plant 65 replacement trees on the Subject Property at the locations shown on the City approved Site Plan and City approved landscape plan, with said replacement trees to be of the height, diameter, breast height, kind and species shown on the City approved Site Plan and City approved landscape plan, with the Developer planting all of the 65 replacement trees on the Subject Property prior to a Certificate of Occupancy being issued for the apartment building on the Subject Property. The Developer or all successors in title as to the Property (as well as any and all portions thereof), including but not limited to, successor developer(s) and the purchasers and owners of any individual lot, parcel, or unit within the Property, shall, at its own cost, be responsible for the perpetual maintenance and if necessary, replacement, of the 65 replacement trees planted on the Subject Property. The Developer shall, at its own cost, pay all applicable fees necessary and required with respect to obtaining the administratively approved tree removal permit from the City.

10. The Developer's rights to complete Avant at Five Points as described herein are fully vested on the execution of this Agreement by all parties, subject to the terms and conditions of this Agreement. This Agreement shall run with the land constituting the Subject Property and shall be binding upon and inure to the benefit of Developer and the City and their respective heirs, successors, assigns and transferees and immediately upon execution of this Development Agreement by all of the parties, a memorandum of this Agreement, or the Development Agreement itself, shall be recorded with the Oakland County Register of Deeds. The Development Agreement shall be interpreted and construed in accordance with Michigan law, and shall be subject to enforcement only in Michigan courts. The parties understand and agree that this Development Agreement is consistent with the intent and provisions of the Michigan and U.S. Constitutions and all applicable law.

11. The Developer has negotiated the terms of this Development Agreement with the City and such documentation represents the product of the joint efforts and agreements of the Developer and the City. The Developer fully accepts and agrees to the final terms, conditions, requirements and obligations in this Development Agreement. The Developer understands that this Agreement is authorized by applicable local, state and federal laws, ordinances and constitutions, and the Developer shall be estopped from taking a contrary position in the future, and the City shall be entitled to injunctive relief to prohibit any actions by the Developer that are inconsistent with the terms and provisions in this Agreement.

12. The Developer may request modifications to the City approved Site Plan as follows:

- (a) The Community Development Department may approve modifications to the City approved Site Plan that do not:
  - (i) Materially change the parking layout; or
  - (ii) Materially increase the total square footage or density of the proposed buildings.
- (b) Modifications proposed by the Developer pursuant to this paragraph shall be consistent with the City approved Site Plan and Approval Requirements

and shall not adversely affect the character or quality of the development;  
and

- (c) Modifications to the City approved Site Plan that the Community Development Department in its sole discretion deems material shall be reviewed for approval by the City Council.

13. This Agreement constitutes the entire Agreement between the parties and may not be modified, amended or terminated except in writing executed by all of the parties hereto and this Agreement may be executed in counterparts.

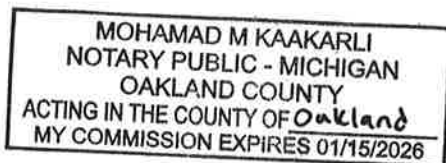
THIS AGREEMENT is executed by the respective parties on the date specified with the notarization with their names.

OYK Five Points LLC,  
a Michigan corporation

By: F. Hadid  
Name: F. Hadid  
Its: Member

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 3 day of January, 2020, by Fred Hadid, the member of OYK Five Points LLC, a Michigan corporation, on behalf of said corporation.



Mohamad M Kaakarli  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 01/15/2026  
Acting in Oakland County

CITY OF AUBURN HILLS,  
a Michigan municipal corporation


By: Kevin McDaniel  
Kevin McDaniel, Mayor

By: Laura M Pierce  
Laura Pierce, City Clerk

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 20 day of January, 2020, by Kevin McDaniel, as Mayor, and Laura Pierce, as City Clerk, on behalf of the City of Auburn Hills, a Michigan municipal corporation, on behalf of the corporation.

KRISTINE M. KLASSEN  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 11-24-2023  
Acting in the County of Oakland

  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 11-24-2023  
Acting in Oakland County

Drafted by and when recorded return to:

Derk W. Beckerleg  
2600 Troy Center Drive  
P.O. Box 5025  
Troy, MI 48007-5025

5798802\_1.docx

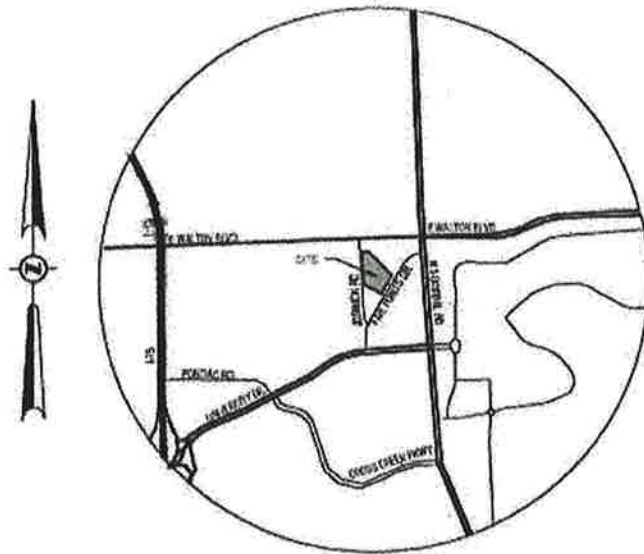
# EXHIBIT A

# The Avant at Five Points

**PID: 14-13-126-008**

## Five Points Drive

City of Auburn Hills, MI 48326



### LOCATION MAP

## LEGAL DESCRIPTION

LOT 2, WESSON ESTATES SUB. NO. 1, CITY OF AUBURN HILLS, OAKLAND  
COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE 58, OAKLAND COUNTY  
RECORDS

**AVANT AT FIVE POINTS FIRST AMENDMENT  
TO PUD DEVELOPMENT AGREEMENT**

This First Amendment to PUD Development Agreement ("Amendment") dated June 4<sup>th</sup>, 2024 by and between the City of Auburn Hills, a Michigan municipal corporation ("City") and OYK Engineering and Construction, a Michigan corporation ("Developer") is entered into to confirm certain rights and obligations relating to the development and use of an approximately 2.66-acre parcel of property located in the City of Auburn Hills, Michigan, and more particularly described on the attached Exhibit A hereto (the "Property" and/or the "Subject Property").

**BACKGROUND**

- A. The Developer is the owner of the approximately 2.66-acre parcel of property located north of University Drive between and on Joswick Road and Five Points Drive in Auburn Hills, Michigan, as legally described and depicted on Exhibit A which is attached hereto and incorporated herein by reference.
- B. Pursuant to Section 1830 of the Auburn Hills Zoning Ordinance, the Developer applied for approval of the Site Plan on file with the Auburn Hills Community Development Department (the "Site Plan") which is part of the PUD process for the apartment development being known as Avant at Five Points ("Avant at Five Points") and on November 18, 2019 the Auburn Hills City Council approved combined PUD Step One – Qualification and PUD Step Two – Site Plan Approval ("Site Plan and PUD Approval"), for the Avant at Five Points, subject to several conditions including, but not limited to, the condition that the Developer and the City enter into a Development Agreement. The Developer and the City did enter into such a Development Agreement on January 20, 2020.
- C. Due to the 2020 COVID 19 Pandemic and the economic shutdown appurtenant to that global event and other unrelated delays, the Developer was unable to timely develop the site pursuant to the original Development Agreement.
- D. In 2023, the Developer applied to the City for approval to revise the PUD Step Two Site Plan and Tree Removal Permit previously approved by the City Council on November 18, 2019. The revised development will consist of 35 one-bedroom and 33 two-bedroom units ranging from 475 square feet to 1,060 square feet in size, with the general appearance and function of the proposed building remains the same as previously approved by the City Council.
- E. The Planning Commission met to consider the application to revise the PUD Step Two Site Plan on March 8, 2023.
- F. On March 20, 2023, the City Council met to consider the application to revise the PUD Step Two Site Plan and Tree Removal Permit. The Council considered tree coverage, drainage concerns, and concerns about inspections and the quality of the construction and the City Council on March 20, 2023 approved the revised PUD Step Two Site Plan and Tree Removal Permit subject to the conditions of the Administrative Review Team outlined in this Development Agreement Amendment.
- G. It is the purpose of this Amendment to confirm the rights and obligations of the Developer and the City with respect to the development and use of the Subject Property.

**NOW, THEREFORE**, for good and valuable consideration given, the receipt of which is hereby acknowledged by the parties, it is agreed as follows:

- 1. **Amended Site Plan.** The Developer shall develop the Project in accordance with the Revised PUD Step Two Site Plan and Tree Removal Permit approved by the City Council on March 20, 2023. The final development shall consist of 35 one-bedroom units and 33 two-bedroom units for a total of 68 units contained in a three-story building. The three-story building shall adhere to the façade, dimensions, setbacks, height requirements, and all other dimensional and other

requirements as shown in the approved Revised Site Plan on file with the Auburn Hills Community Development Department.

2. **Sufficient Parking Spaces.** The Developer shall, at its own cost, provide for an additional 17 parking spaces in the outdoor parking lot for a total of 100 outdoor parking spaces in addition to the 70 underground parking spaces located in the garage.
3. **Completion Date.**
  - A. The Developer shall sign this First Amendment to PUD Development Agreement and return said First Amendment to PUD Development Agreement to the City by June 7, 2024. If the Developer fails to sign and return the First Amendment to PUD Development Agreement to the City by June 7, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - B. If the Developer meets the completion deadline for Item A, but fails to begin pouring the foundations of the building by June 25, 2024, in accordance with the City-approved Building Permit, then the Developer will voluntarily terminate the Planned Unit Development approval. The Developer shall obtain Building Permit approval from the Building Official and pay the Building Permit and Building Plan review fees totaling \$149,672 to the City before the commencement of this work.
  - C. If the Developer meets the completion deadline for Item B, but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by September 9, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - D. If the Developer meets the completion deadline for Item C, but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by March 1, 2025, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - E. The Developer shall complete all site improvements and landscaping per the approved Site Plan by October 15, 2025.
  - F. The Developer shall complete the development and obtain a final Certificate of Occupancy Permit from the City by December 30, 2025.
  - G. If the Planned Unit Development approval is terminated, then the Developer shall, at its own cost, remove all incomplete structures and foundations from the Subject Property and restore the Subject Property as directed by staff in accordance with City Ordinances. If the Developer fails to restore the Subject Property as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the Developer for work performed by the City that the Developer fails to complete and to place a lien against the Subject Property if the Developer does not pay such costs incurred by the City.
4. **Trees.** Twenty-one additional trees shall be planted at the Developer's own expense for a total of eighty-six replacement trees. The Development shall plant eighty-six replacement trees as shown in the updated site and landscape plan.
5. **Incorporation.** Except as specifically amended in this First Amendment to PUD Development Agreement, Revised PUD Step Two Site Plan and Tree Removal Permit, all other terms, conditions, and requirements of the Development Agreement remain in full force and effect.

**THIS FIRST AMENDMENT TO PUD DEVELOPMENT AGREEMENT** is executed by the respective parties on the date specified with the notarization with their names.

OYK Engineering and Construction,  
a Michigan corporation

By: F. Haddad  
Name: [Signature]  
Its: Owner

CHRISTIE NAZAL  
Notary Public, State of Michigan  
County of Macomb

My Commission Expires 02-15-2029  
Acting in the County of Oakland

STATE OF MICHIGAN       )  
                                      )ss  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of June, 2024, by Fred Hadid, the Owner of OYK Engineering and Construction, a Michigan corporation, on behalf of said corporation.

Christie Nazal  
Notary Public  
Macomb County, Michigan  
My Commission Expires: 2-15-2029  
Acting in Oakland County

CITY OF AUBURN HILLS,  
a Michigan municipal corporation

By: Brian Marzolf  
Brian Marzolf, Mayor

By: Laura M Pierce  
Laura Pierce, City Clerk

STATE OF MICHIGAN       )  
                                      )ss  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of June, 2024, by Brian Marzolf, as Mayor, and Laura Pierce, as City Clerk, on behalf of the City of Auburn Hills, a Michigan municipal corporation, on behalf of the corporation.

KRISTINE M. KLASSEN  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Nov. 24, 2029  
Acting in the County of Oakland

Kristine M. Klassen  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 11-24-2029  
Acting in Oakland County

Drafted by and when recorded return to:

Derk W. Beckerleg  
2600 Troy Center Drive  
P.O. Box 5025  
Troy, MI 48007-5025

9100283

## **AVANT AT FIVE POINTS SECOND AMENDMENT TO PUD DEVELOPMENT AGREEMENT**

This Avant at Five Points Second Amendment to PUD Development Agreement ("Second Amendment") dated Sept. 23rd, 2024 by and between the City of Auburn Hills, a Michigan municipal corporation ("City") and OYK Engineering and Construction, a Michigan corporation ("Developer") is entered into to confirm certain rights and obligations relating to the development and use of an approximately 2.66-acre parcel of property located in the City of Auburn Hills, Michigan, and more particularly described on the attached Exhibit A hereto (the "Property" and/or the "Subject Property").

### **BACKGROUND**

- A. The Developer is the owner of the approximately 2.66-acre parcel of property located north of University Drive between and on Joswick Road and Five Points Drive in Auburn Hills, Michigan, as legally described and depicted on Exhibit A which is attached hereto and incorporated herein by reference.
- B. Pursuant to Section 1830 of the Auburn Hills Zoning Ordinance, the Developer applied for approval of the Site Plan on file with the Auburn Hills Community Development Department (the "Site Plan") which is part of the PUD process for the apartment development being known as Avant at Five Points ("Avant at Five Points") and on November 18, 2019 the Auburn Hills City Council approved combined PUD Step One – Qualification and PUD Step Two – Site Plan Approval ("Site Plan and PUD Approval"), for the Avant at Five Points, subject to several conditions including, but not limited to, the condition that the Developer and the City enter into a Development Agreement. The Developer and the City did enter into such a Development Agreement on January 20, 2020.
- C. Due to the 2020 COVID 19 Pandemic and the economic shutdown appurtenant to that global event and other unrelated delays, the Developer was unable to timely develop the site pursuant to the original Development Agreement.
- D. In 2023, the Developer applied to the City for approval to revise the PUD Step Two Site Plan and Tree Removal Permit previously approved by the City Council on November 18, 2019. The revised development will consist of 35 one-bedroom and 33 two-bedroom units ranging from 475 square feet to 1,060 square feet in size, with the general appearance and function of the proposed building remaining the same as previously approved by the City Council.
- E. The Planning Commission met to consider the application to revise the PUD Step Two Site Plan on March 8, 2023.
- F. On March 20, 2023, the City Council met to consider the application to revise the PUD Step Two Site Plan and Tree Removal Permit. The Council considered tree coverage, drainage concerns, and concerns about inspections and the quality of the construction and the City Council on March 20, 2023 approved the revised PUD Step Two Site Plan and Tree Removal Permit subject to the conditions of the Administrative Review Team outlined in the Development Agreement, as amended.
- G. On May 20, 2024, the City Council granted Developer's request for an extension of time for various completion dates for the Avant at Five Points project and on June 4, 2024, the parties hereto entered into the Avant at Five Points First Amendment to PUD Development Agreement, containing among other things the extended completion dates.
- H. On September 9, 2024, the City Council granted Developer's request for an additional extension of time for the various completion dates for the Avant at Five Points project, which extended completion dates are contained in this Avant at Five Points Second Amendment to PUD Development Agreement.
- I. It is the purpose of this Second Amendment to confirm the rights and obligations of the Developer and the City with respect to the development and use of the Subject Property and to set forth the new completion dates.

**NOW, THEREFORE**, for good and valuable consideration given, the receipt of which is hereby acknowledged by the parties, it is agreed as follows:

1. **Amended Site Plan.** The Developer shall develop the Project in accordance with the Revised PUD Step Two Site Plan and Tree Removal Permit approved by the City Council on March 20, 2023. The final development shall consist of 35 one-bedroom units and 33 two-bedroom units for a total of 68 units contained in a three-story building. The three-story building shall adhere to the façade, dimensions, setbacks, height requirements, and all other dimensional and other requirements as shown in the approved Revised Site Plan on file with the Auburn Hills Community Development Department.
2. **Sufficient Parking Spaces.** The Developer shall, at its own cost, provide for an additional 17 parking spaces in the outdoor parking lot for a total of 100 outdoor parking spaces in addition to the 70 underground parking spaces located in the garage.
3. **Completion Date.**
  - A. The Developer shall sign this Second Amendment to PUD Development Agreement and return said Second Amendment to PUD Development Agreement to the City by Noon on September 23, 2024. If the Developer fails to sign and return the Second Amendment to PUD Development Agreement to the City by Noon on September 23, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - B. If the Developer meets the completion deadline for Item A, but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by December 9, 2024, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - C. If the Developer meets the completion deadline for Item B, but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by June 1, 2025, then the Developer will voluntarily terminate the Planned Unit Development approval.
  - D. The Developer shall complete all site improvements and landscaping per the approved Site Plan by November 15, 2025.
  - E. The Developer shall complete the development and obtain a final Certificate of Occupancy Permit from the City by March 30, 2026.
  - F. If the Planned Unit Development approval is terminated, then the Developer shall, at its own cost, remove all incomplete structures and foundations from the Subject Property and restore the Subject Property as directed by staff in accordance with City Ordinances. If the Developer fails to restore the Subject Property as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the Developer for work performed by the City that the Developer fails to complete and to place a lien against the Subject Property if the Developer does not pay such costs incurred by the City.
4. **Trees.** Twenty-one additional trees shall be planted at the Developer's own expense for a total of eighty-six replacement trees. The Development shall plant eighty-six replacement trees as shown in the updated site and landscape plan.
5. **Incorporation.** Except as specifically amended in this Avant at Five Points Second Amendment to PUD Development Agreement, Revised PUD Step Two Site Plan and Tree Removal Permit, all other terms, conditions, and requirements of the Development Agreement, as amended by the Avant at Five Points First Amendment to PUD Development Agreement, remain in full force and effect.

**THIS AVANT AT FIVE POINTS SECOND AMENDMENT TO PUD DEVELOPMENT AGREEMENT** is executed by the respective parties on the date specified with the notarization with their names.

OYK Engineering and Construction,  
a Michigan corporation

By:   
Name: Fred Hadid  
Its: Owner

STATE OF MICHIGAN       )  
  )ss  
COUNTY OF OAKLAND       )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of September, 2024, by Fred Hadid, the Owner of OYK Engineering and Construction, a Michigan corporation, on behalf of said corporation.

CHRISTIE NAZAL  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires 02-15-2029  
Acting in the County of Oakland

Christie Nazal  
Notary Public  
Macomb County, Michigan  
My Commission Expires: 2-15-2029  
Acting in Oakland County

CITY OF AUBURN HILLS,  
a Michigan municipal corporation

By: Brian Marzolf  
Brian Marzolf, Mayor

By: Laura M. Pierce  
Laura Pierce, City Clerk

STATE OF MICHIGAN       )  
  )ss  
COUNTY OF OAKLAND       )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of September, 2024, by Brian Marzolf, as Mayor, and Laura Pierce, as City Clerk, on behalf of the City of Auburn Hills, a Michigan municipal corporation, on behalf of the corporation.

KRISTINE M. KLASSEN  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Nov. 24, 2029  
Acting in the County of Oakland

Kristine M. Klassen  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 11-24-2029  
Acting in Oakland County

Drafted by and when recorded return to:

Derk W. Beckerleg  
2600 Troy Center Drive  
P.O. Box 5025  
Troy, MI 48007-5025

9295748

# EXHIBIT A

## Legal Description of the Parcel

LOT 2, WESSON ESTATES SUB NO. 1, CITY OF AUBURN HILLS, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE 28, OAKLAND COUNTY RECORDS.

Contains 2.66 Acres Gross (2.22 Acres Net) of land.

Commonly known as: 3355 Five Points Drive, Auburn Hills, MI 48326

Tax Parcel No.: 14-13-126-008

# The Avant at Five Points

# Five Points Drive

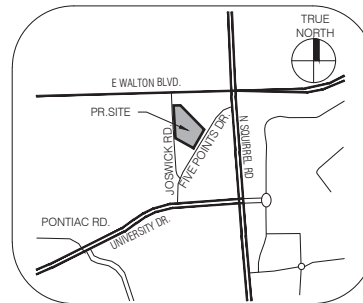
City of Auburn Hills, MI 48326

OYK ENGINEERING & CONSTRUCTION  
30700 TELEGRAPH RD.  
SUITE 2665  
BINGHAM FARMS, MI 48025  
T: 248.656.7695  
CONTACT: FRED HADID

DESIGN HAUS ARCHITECTURE  
3300 AUBURN ROAD  
SUITE 300  
AUBURN HILLS, MI 48326  
T: 248.601.4422  
PROJECT MANAGER: SAL LORENZANO  
PROJECT ARCHITECT: PETER STUHLREYER, A.I.A.  
LANDSCAPE ARCHITECT: MIKE PIZZOLA, L.A.I.A.

SM ENGINEERING  
1939 LINCOLNSHIRE DRIVE  
ROCHESTER HILLS, MI 48309  
T: 810.712.8849  
CONTACT: GREG EZZO

LOT 2, WESSON ESTATES SUB NO. 1, CITY OF AUBURN HILLS, OAKLAND  
COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE 38, OAKLAND COUNTY  
RECORDS



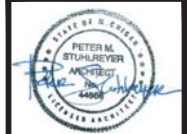
## LOCATION MAP

THIS 2.66 ACRE VACANT PARCEL IS LOCATED NORTH OF UNIVERSITY DRIVE, EAST OF JOSWICK ROAD AND WEST OF SQUIRREL ROAD. THE CURRENT ZONING OF THIS PROPERTY IS B-2.

PROPOSED IS A MULTI-FAMILY BUILDING THAT STEPS DOWN IN HEIGHT TOWARDS THE WEST PROPERTY LINE ALONG JOSWICK ROAD. THE 79,334 SQUARE FOOT BUILDING FOOTPRINT (118,530 GROSS SQ. FT. W/BASEMENT) ACCOMMODATES 68 UNITS, AMENITY SPACE, AS WELL AS AN UNDERGROUND PARKING GARAGE. PROPOSED PARKING SPACES FOR THE PROJECT INCLUDE 70 SURFACE SPACES AND 100 UNDERGROUND SPACES FOR A TOTAL OF 170 TOTAL PARKING SPACES.

G000	Title Sheet and Index
Sheet 1 of 1	Topographic Survey
CS2.0	Tree Removal Plan
S100	Dimensional Site Plan
C2.0	Demolition Site Plan
C3.0	Engineering Site Plan
C3.1	Fire Truck Access Plan
C4.0	Grading Plan
C5.0	Water and Sanitary Plan
C6.0	Storm Water Management Plan
L100	Landscape Plan and Details
L200	Headlight Offset Site Section
L300	Lighting Plan
A100	Garage and First Floor Plans
A101	Second and Third Floor Plans
A102	Roof Plan
A200	Elevations
A201	Elevations
A202	Architectural Facade Renderings

PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date



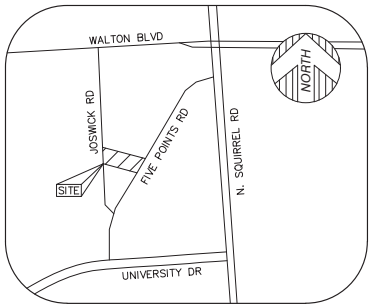
**The Avant at Five Points**  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

## Title Sheet and Index

018230

**GOOO**

NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008



VICINITY MAP  
(NOT TO SCALE)

PARCEL AREA

115,734± SQUARE FEET = 2.66± ACRES

BENCHMARK

SITE BENCHMARK #1  
STORM MANHOLE RIM,  
ELEVATION = 941.58' (NAVD 88)

SITE BENCHMARK #2  
ARROW ON HYDRANT,  
ELEVATION = 945.08' (NAVD 88)

SURVEYOR'S NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.

2. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

LEGEND

	FOUND MONUMENT (AS NOTED)
	GROUND ELEVATION
	UTILITY POLE
	SANITARY MANHOLE
	SQUARE CATCH BASIN
	STORM DRAIN MANHOLE
	FIRE HYDRANT
	SINGLE POST SIGN
	PARCEL BOUNDARY LINE
	ADJOINTER PARCEL LINE
	ASPHALT CURB
	CONCRETE CURB
	EDGE OF CONCRETE (CONC.)
	EDGE OF ASPHALT (ASPH.)
	EDGE OF GRAVEL
	FENCE (AS NOTED)
	WALL (AS NOTED)
	OVERHEAD UTILITY LINE
	ELECTRIC LINE
	GAS LINE
	SANITARY LINE
	STORM LINE
	WATER LINE
	MINOR CONTOUR LINE
	MAJOR CONTOUR LINE
	BUILDING AREA
	ASPHALT
	CONCRETE



GRAPHIC SCALE

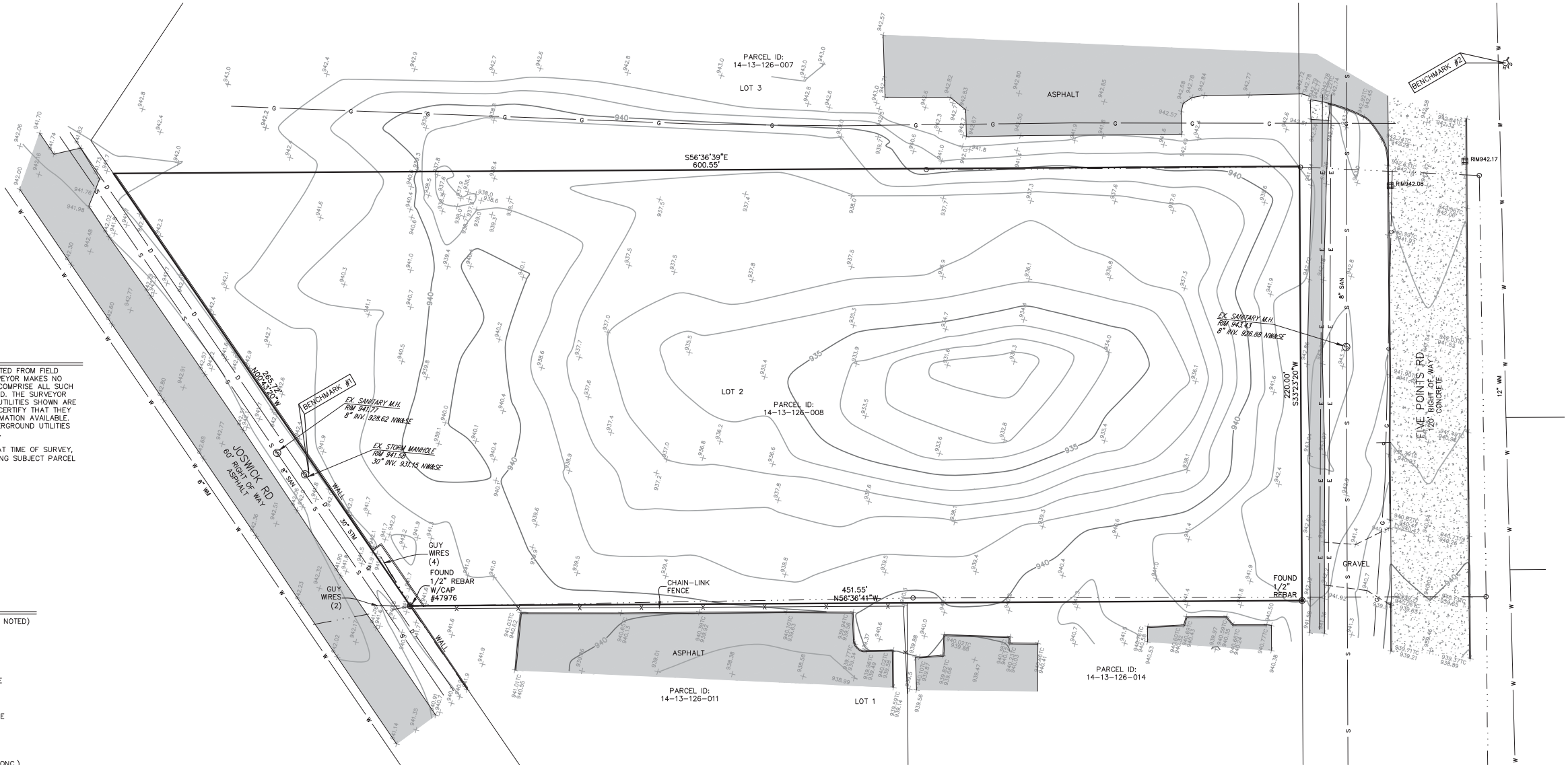


( IN FEET )  
1 inch = 30 ft.

PROPERTY DESCRIPTION

THE LAND SITUATED IN THE CITY OF AUBURN HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOT 2, WESSON ESTATES SUB. NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 35, PAGE 58, OAKLAND COUNTY RECORDS.



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED. THE ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY AND THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.

DRAFT

ANTHONY T. SYCKO, JR., P.S.  
PROFESSIONAL SURVEYOR  
MICHIGAN LICENSE NO. 47976  
22556 GRATIOT AVE., EASTPOINTE, MI 48021  
TSycko@kemttec-survey.com

DATE	BY	REVISION	DATE	DESCRIPTION
12/27/22	MFJ			
12/27/22	ATS			
DECEMBER 27, 2022				
20-02200				

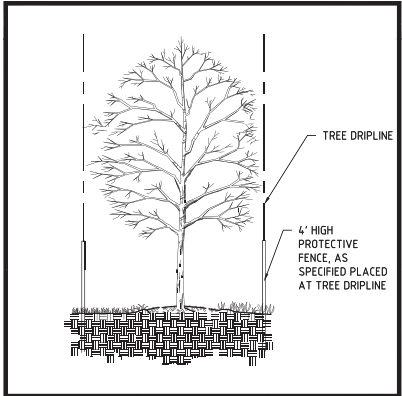
TREE SURVEY TABLE

Tree #	DBH	Botanical Name	Common Name	Condition	Comments	Regulated (R) / Not Regulated (n)	Landmark (L)	Save (S) / Remove (x)
1	6.1	Populus grandidentata	Big-tooth Aspen	Fair		n		x
2	8.7	Populus grandidentata	Big-tooth Aspen	Fair		n		x
3	9.4 / 7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
4	8.5	Populus grandidentata	Big-tooth Aspen	Fair		n		x
5	8.5	Populus grandidentata	Big-tooth Aspen	Fair		n		x
6	6.4	Populus grandidentata	Big-tooth Aspen	Fair		n		x
7	6.5	Populus grandidentata	Big-tooth Aspen	Fair	Multiple Trunks	n		x
8	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
9	10.9	Populus grandidentata	Big-tooth Aspen	Fair		n		x
10	8.0	Populus grandidentata	Big-tooth Aspen	Fair		n		x
11	9.0	Populus grandidentata	Big-tooth Aspen	Fair		n		x
12	6.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
13	9.3 / 6.4	Populus grandidentata	Big-tooth Aspen	Fair	Multiple Trunks (3)	n		x
14	7.2 / 6.1 / 5.4	Populus grandidentata	Big-tooth Aspen	Fair		n		x
15	8.5 / 8.1	Populus deltoides	Cottonwood	Fair		n		s
16	8.4 / 10.0	Populus deltoides	Cottonwood	Fair	Multiple Trunks (2)	n		s
17	8.2 / 7.7 / 9.0 / 9.6	Prunus serotina	Black Cherry	Fair		R		s
18	6.1	Populus grandidentata	Big-tooth Aspen	Good		n		s
19	6.9 / 7.6	Populus grandidentata	Big-tooth Aspen	Good		n		s
20	7.3	Populus grandidentata	Big-tooth Aspen	Poor		n		s
21	6.5	Populus grandidentata	Big-tooth Aspen	Fair		n		s
22	7.0	Populus grandidentata	Big-tooth Aspen	Fair		n		s
23	6.9	Populus grandidentata	Big-tooth Aspen	Fair		n		s
24	6.6	Populus grandidentata	Big-tooth Aspen	Fair		n		s
25	8.4	Populus grandidentata	Big-tooth Aspen	Fair		n		s
26	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
27	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
28	9.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
29	9.6	Populus deltoides	Cottonwood	Fair		n		s
30	10.5	Acer rubrum	Red Maple	Fair		R		s
31	7.1 / 7.5 / 2.6 / 4.0	Populus deltoides	Cottonwood	Fair	Multiple Trunks (4)	n		s
32	6.7 / 6.1 / 3.7 / 4.2 / 6.9	Salix nigra	Black Willow	Good	Multiple Trunks (5)	n		s
33	6.8	Ulmus americana	American Elm	Poor		n		s
34	10.6	Prunus serotina	Black Cherry	Fair		R		s
35	13.3	Populus deltoides	Cottonwood	Good		n		s
36	7.4 / 2.3 / 4.2	Acer rubrum	Red Maple	Good	Multiple Trunks (3)	R		s
37	7.6 / 4.2 / 3.4 / 2.5	Acer rubrum	Red Maple	Fair	Multiple Trunks (4)	R		s
38	6.3	Prunus serotina	Black Cherry	Fair		R		s
39	6.1 / 2.6 / 4.6 / 4.5	Malus pumila	Apple	Fair		R		s
40	8.6 / 4.1 / 5.8	Ulmus americana	American Elm	Fair		n		s
41	4.7 / 5.5 / 4.8 / 4.0	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	R - wetland		x
42	4.8 / 5.2 / 4.0 / 3.5 / 5.9 / 4.0	Salix nigra	Black Willow	Fair	Multiple Trunks (6)	R - wetland		s
43	5.1 / 5.0 / 4.3 / 4.0	Salix nigra	Black Willow	Good	Multiple Trunks (4)	R - wetland		x
44	7.4 / 5.5 / 3.8 / 8.1	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	n		s
45	6.4 / 5.5 / 7.5	Quercus palustris	Pin Oak	Good		R		x

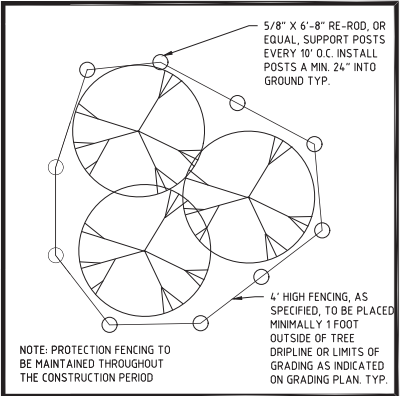
TREE SURVEY TABLE

Tree #	DBH	Botanical Name	Common Name	Condition	Comments	Regulated (R) / Not Regulated (n)	Landmark (L)	Save (S) / Remove (x)
46	6.5	Populus deltoides	Cottonwood	Good		n		s
47	7.0 / 7.0 / 8.1	Populus deltoides	Cottonwood	Far	Multiple Trunks (3)	n		s
48	6.9 / 6.5 / 6.9 / 7.7 / 7.6	Salix nigra	Black Willow	Far	Multiple Trunks (5)	R - wetland		x
49	5.7 / 5.3	Salix nigra	Black Willow	Far	Multiple Trunks (2)	R - wetland		x
50	4.9 / 3.9 / 5.7 / 3.0	Salix nigra	Black Willow	Far	Multiple Trunks (4)	R - wetland		x
51	5.1 / 3.2 / 4.0	Salix nigra	Black Willow	Poor	Multiple Trunks (3)	R - wetland		x
52	6.8	Populus grandidentata	Big-tooth Aspen	Good		n		x
53	16.7	Pinus sylvestris	Scotch Pine	Good		R		x
54	6.3	Picea pungens	Blue Spruce	Good		R		s
55	6.1	Picea pungens	Blue Spruce	Good		R		s
56	23.6	Populus deltoides	Cottonwood	Far		n		s
57	22.1	Quercus alba	White Oak	Good		R		x
58	5.6 / 4.0	Salix nigra	Black Willow	Far	Multiple Trunks (2)	R - wetland		x
59	7.4 / 9.0 / 4.0 / 7.0 / 7.4	Salix nigra	Black Willow	Good	Multiple Trunks (5)	R - wetland		x
60	12.2	Salix nigra	Black Willow	Far		n		s
61	11.5 / 15.4 / 17.3	Salix nigra	Black Willow	Far	Multiple Trunks (3)	n		s
62	14.5	Salix nigra	Black Willow	Far		n		s
63	6.8	Populus tremuloides	Quaking Aspen	Good		n		x
64	16.8	Salix nigra	Black Willow	Far		R - wetland		x
65	12.8 / 13.2 / 12.0 / 9.2	Salix nigra	Black Willow	Far	Multiple Trunks (4)	R - wetland		x
		Quercus palustris	Pin Oak	Dead		R		x
		Quercus palustris	Pin Oak	Dead		R		x
		Quercus palustris	Pin Oak	Dead		R		x
		Picea pungens	Blue Spruce			n		s
	8"	Ulmus americana	American Elm		off site	n		s
		Salix nigra	Black Willow			R - wetland		x
		Salix nigra	Black Willow			R - wetland		x
		Salix nigra	Black Willow			n		x
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
		Quercus rubra	Red Oak		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Prunus serotina	Black Cherry			R		x

TREE PROTECTION DETAIL

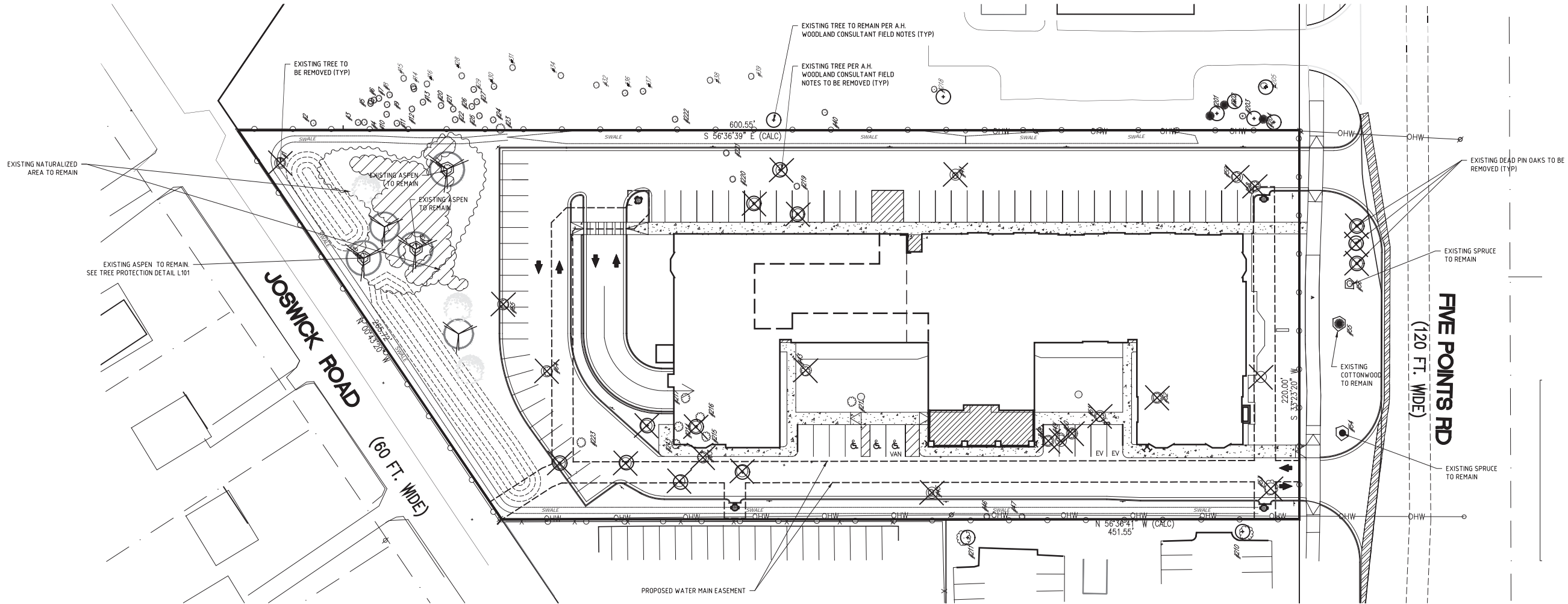


TREE PROTECTION DETAIL



TREE PROTECTION NOTES

- Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape
- Erect barriers of four (4) foot high fencing staked with metal "T-posts" five (5) feet on center or all such trees or groups of trees proposed to remain
- Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved by the City to be removed, or when a Certificate of Occupancy is issued
- Keep clear all debris of fill, equipment, and material from within the required protective barrier
- During construction, the owner, developer, or agent shall not cause or permit any activity within the fence line of any protected tree or groups of trees including, but not limited to, the storage of equipment, dumpsters, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree
- No damaging attachment, wires (other than cable wires for trees), signs, or permits may be fastened to any tree protected by this Ordinance



1 Tree Removal Plan

SCALE: 1" = 30'



NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008

DESIGNHAUS ARCHITECTURE  
EST 1998

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INFO@DESIGNHAUS.COM



PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date

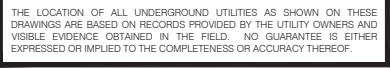


The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Tree Removal Plan

018230  
CS2.0





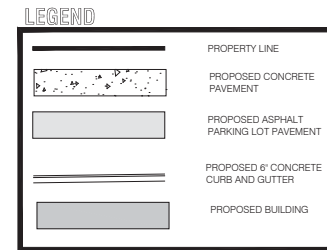
1 Demolition Plan SCALE: 1" = 30' NORTH

SCALE: 1" = 30'

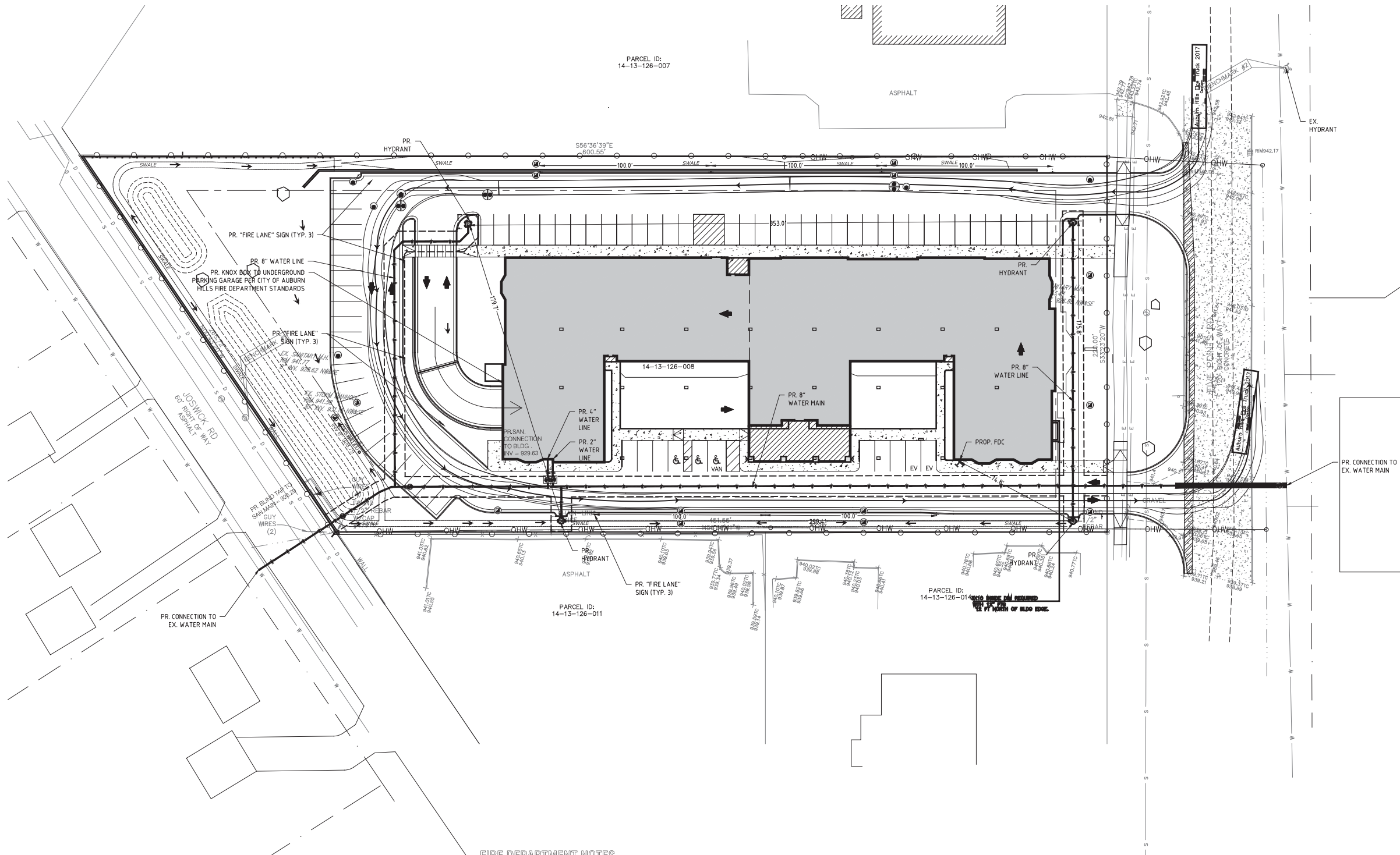


<ul style="list-style-type: none"> <li>* CONSTRUCTION SHALL CONFORM TO CITY OF AUBURN HILLS STANDARDS.</li> <li>* NO WORK SHALL BE PERFORMED WITHOUT INSPECTION.</li> <li>* A PERMIT FROM THE DPW IS REQUIRED FOR ALL CONSTRUCTION WITHIN THE CITY ROW, NO EQUIPMENT OR MATERIAL STORAGE WILL BE PERMITTED IN THE PUBLIC ROW.</li> <li>* ALL CITY STREETS MUST BE MAINTAINED DURING CONSTRUCTION. STREETS SHALL BE KEPT FREE OF MUD, DIRT, CONSTRUCTION DEBRIS , AND THE LIKE. IF CLEAN UP IS NOT PERFORMED WITHIN 24 HOURS OF NOTIFICATION, THE CITY RESERVES THE RIGHT TO PERFORM SUCH WORK AND CHARGE THE DEVELOPER ACCORDINGLY.</li> <li>* WORKING HOURS (INCLUDING RUNNING OF ANY MACHINERY) SHALL BE RESTRICTED TO MONDAY THRU SATURDAY, 7AM TO 7PM; SUN UP TO SUNDOWN, WHICHEVER IS LESS. CONSTRUCTION OPERATIONS DURING THE PERIODS ABOVE SHALL BE PERMITTED ONLY AFTER WRITTEN APPROVAL OF THE CITY MANAGER OR HIS DESIGNEE.</li> <li>* ALL MATERIALS AND MANUFACTURES SHALL CONFORM TO THE STANDARD DETAILS.</li> <li>* UTILITY STRUCTURES SHALL NOT BE LOCATED IN DRIVEWAYS, AND WHERE POSSIBLE, SHALL NOT BE LOCATED IN PAVED AREAS.</li> <li>* THE CONTRACTORS SHALL NOTIFY ALL UTILITY COMPANIES IN ACCORDANCE WITH ACT 53 OF P.A. OF 1974 AND ALSO CONTACT OAKLAND COUNTY UTILITY PROTECTION SERVICES (MISS DIG 1-800-482-7171) THREE (3) WORKING DAYS BEFORE THE START OF ANY CONSTRUCTION.</li> <li>* THE CONTRACTOR SHALL PROVIDE NECESSARY SIGNS, BARRICADES, AND LIGHTS TO PROTECT TRAFFIC AND THE WORK AS DIRECTED BY THE ENGINEER. SUCH DEVICES SHALL BE PLACED PRIOR TO STARTING WORK IN THE AFFECTED AREAS.</li> <li>* ALL SOIL EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE OAKLAND COUNTY STANDARDS AND DETAILS. THE CONTRACTOR SHALL FOLLOW LOCAL RULES FOR SOIL EROSION AND SEDIMENT CONTROL FOR ALL MATERIALS THAT ARE DISPOSED OF OFF OF THE PROJECT SITE.</li> <li>* ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES MUST BE PROPERLY PLACED PRIOR TO GRADING OR OTHER CONSTRUCTION ACTIVITIES.</li> <li>* FIELD CHANGES TO THE APPROVED PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE INSPECTOR ON SITE WHO WILL DETERMINE IF THE CHANGE IS SIGNIFICANT. SIGNIFICANT FIELD CHANGES SHALL BE SUBMITTED TO THE CITY BY THE DESIGN ENGINEER. THE CITY SHALL NOT BE RESPONSIBLE FOR DELAYS IN THE APPROVED OF CHANGES TO THE APPROVED SITE IMPROVEMENT (ENGINEERING) PLAN.</li> <li>* WHERE POSSIBLE, PUBLIC UTILITIES SHALL NOT BE PLACED UNDER PAVEMENT. THE CITY OF AUBURN HILLS SHALL NOT BE RESPONSIBLE FOR PAVEMENT, CURB, OR OTHER RESTORATION OF PERMANENT FACILITIES LOCATED WITHIN THE MUNICIPAL EASEMENT.</li> <li>* 3 WORKING DAYS PRIOR TO STARTING CONSTRUCTION, CONTACT THE CONSTRUCTION DEPARTMENT OF OHM @ (734) 466-4539 TO SCHEDULE INSPECTION. OHM SHALL INSPECT ALL * SITE IMPROVEMENTS INCLUDING UNDERGROUND UTILITY INSTALLATION, EARTHWORK OPERATIONS, RETAINING WALLS, PAVEMENT IN THE CITY ROW, ALL SIDEWALKS OF SAFETY PATHS I ANY PUBLIC ROW, AND ANY ADDITIONAL ITEMS NOTED DURING REVIEW OR AT THE PRE-CONSTRUCTION MEETING. FINAL OCCUPANCY MAY BE AFFECTED IF PROCEDURES ARE NOT FOLLOWED FOR PROPER INSPECTION.</li> <li>* PERMANENT STRUCTURES OF ANY TYPE, INCLUDING BUT NOT LIMITED TO, TREES, LIGHT POLES, DRAINAGE STRUCTURES, SANITARY STRUCTURES, BENCHES, TRASH RECEPTACLES, ETC. WILL NOT BE ALLOWED WITHIN THE INFLUENCE OF THE PUBLIC WATER MAIN OR SANITARY SEWER EASEMENTS.</li> </ul>
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CIVIL ENGINEER/ SURVEY /  
LAND PLANNER /  
LANDSCAPE ARCHITECT  
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NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008



FIRE DEPARTMENT NOTES

- \* THE FOUR (4) INCH STEAMER CAPS ON ALL HYDRANTS WILL BE PAINTED ACCORDING TO THE FOLLOWING:  
WHITE - 4" MAINS  
RED - 6" MAINS  
ORANGE - 8" MAINS  
GREEN ON 12" MAINS  
BLUE ON 16" OR LARGER MAINS.
- \* NO PARKING SHALL BE PERMITTED AND/OR NO OBSTRUCTIONS SHALL BE PLACED OR CONSTRUCTED WITHIN (15) FEET OF ANY FIRE HYDRANT OR FDC PUBLIC OR PRIVATE.
- \* THE FIRE DEPARTMENT CONNECTION MUST BE LOCATED WITHIN (100) FEET OF A FIRE HYDRANT AND WITHIN (50) FEET OF A MINIMUM (20) FOOT WIDE PAVED DRIVEWAY OR STREET.
- \* GAS METERS, PROPANE TANKS, OVERHEAD ELECTRICAL SERVICE, AND TRANSFORMERS MUST NOT BE LOCATED ON THE SAME SIDE OF THE BUILDING OR STRUCTURE UNLESS A CLEAR DISTANCE OF (150) CAN BE MAINTAINED BETWEEN THE UTILITIES AND THE FDC.
- \* ALL DRIVE AREAS MUST BE POSTED AS FIRE LANES WITH UNIFORM SIGNS IN KEEPING WITH THE STANDARD ESTABLISHED IN THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. SIGNS MUST BE ERECTED ON BOTH SIDES OF THE FIRE LANES WITH SPACING BETWEEN SIGNS NOT TO EXCEED (100) FEET.
- \* DESIGNATED EXIT DOORS ONTO DRIVES OR PARKING AREAS MUST BE PROTECTED WITH GUARD POSTS OR PARKING BLOCKS.
- \* A WHITE HIGH VISIBILITY STRIP SHALL BE PAINTED ON THE UPPER FLANGE OF ALL FIRE HYDRANTS.

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1 Fire Truck Access Plan  
SCALE: 1" = 30'

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SIDWELL # 14-13-126-008

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EST  
1998

Eng Rev	11.11.23
Eng. Sub # 2	12.14.20
Eng. Sub # 1	2.16.19
---	---
Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date



The Avant at Five Points  
PID: 14-13-126-008  
Five Points Drive  
City of Auburn Hills, MI 48326

Fire Truck Access Plan

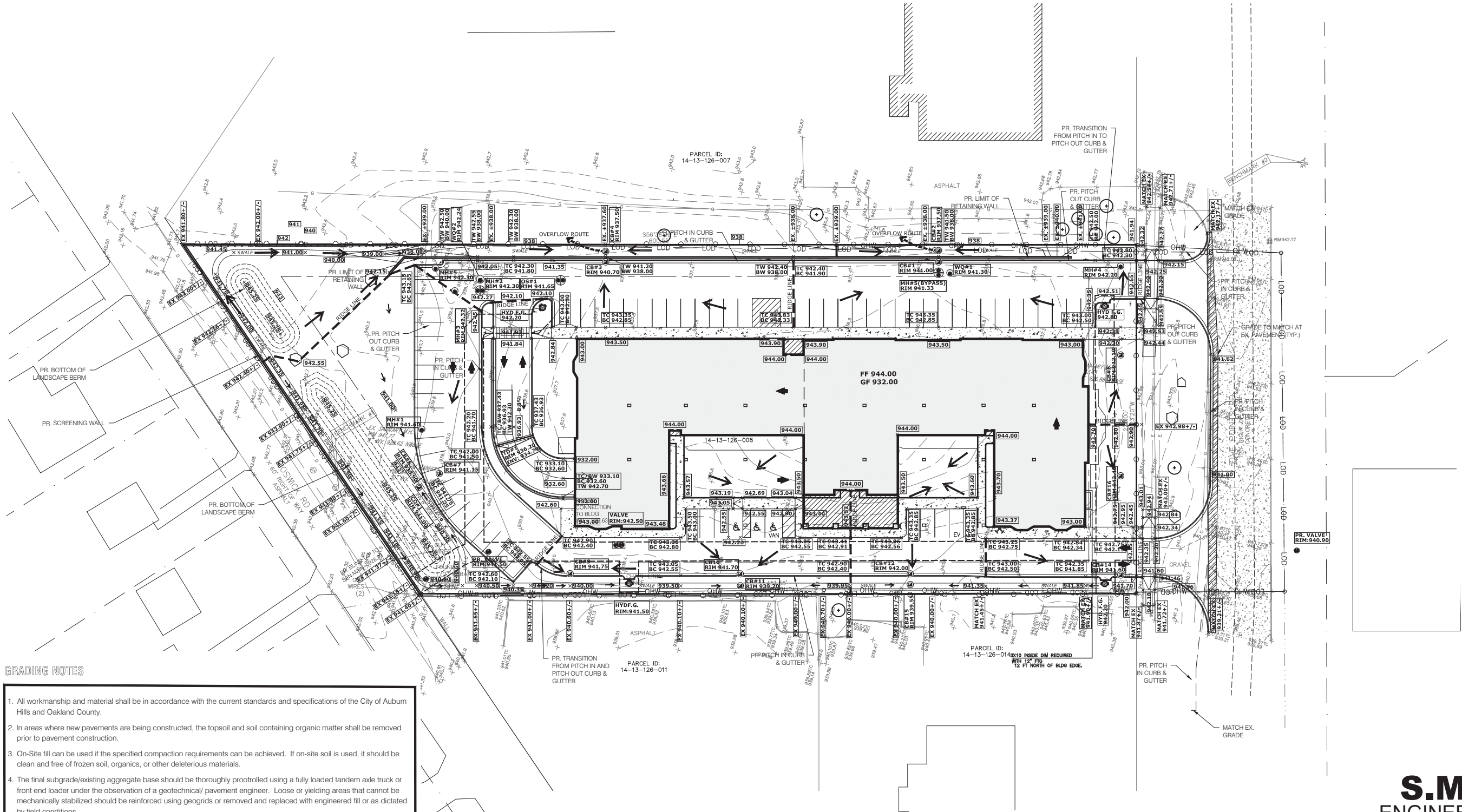
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C3.1

GRADING NOTES

1. All workmanship and material shall be in accordance with the current standards and specifications of the City of Auburn Hills and Oakland County.
2. In areas where new pavements are being constructed, the topsoil and soil containing organic matter shall be removed prior to pavement construction.
3. On-Site fill can be used if the specified compaction requirements can be achieved. If on-site soil is used, it should be clean and free of frozen soil, organics, or other deleterious materials.
4. The final subgrade/existing aggregate base should be thoroughly proofrolled using a fully loaded tandem axle truck or front end loader under the observation of a geotechnical/ pavement engineer. Loose or yielding areas that cannot be mechanically stabilized should be reinforced using geogrids or removed and replaced with engineered fill or as dictated by field conditions.
5. Subgrade undercutting, including backfilling shall be performed to replace materials susceptible to frost heaving and unstable soil conditions. Any excavations that may be required below the topsoil in fill sections or below subgrade in cut sections, will be classified as subgrade undercutting.
6. Subgrade undercutting, including backfilling shall be performed where necessary and the excavated material shall become the property of the contractor. Any subgrade undercutting shall be backfilled with sand or other similar approved material. Backfill shall be compacted to 95% of the maximum unit weight (per astm D-1557) Unless otherwise specified.
7. Backfill under paved areas shall be as specified on details.
8. Any sub-grade watering required to achieve required density shall be considered incidental to the job.
9. Final pavement elevations should be so designed to provide positive surface drainage. A minimum surface slope of 1.0 percent is recommended.
10. Construction traffic should be minimized on the new pavement. If construction traffic is anticipated on the pavement structure, the initial lift thickness could be increased and placement of the final lift could be delayed until the majority of the construction activities have been completed. This action will allow repair of localized failure, if any does occur, as well as reduce load damage on the pavement system.
11. Pavement slopes shall be between 1% and 4% for parking areas and 1% and 6% for drives. Slopes to adjacent property shall not exceed 1:4.
12. Existing grading is to be matched at the property line unless otherwise shown on the Grading Plan.

LEGEND

—	PROPERTY LINE
x 900.00	EXISTING GRADES
x 100.00	PROPOSED GRADES
- - -	PROPOSED RIDGELINE
■ ○	PROPOSED CATCH BASIN AND MANHOLE



**S.M. ENGINEERS**

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LAND PLANNER /  
LANDSCAPE ARCHITECT

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1 Grading Plan

SCALE: 1" = 30'



NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008

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Eng Rev	01.11.20
Eng. Sub # 3	03.12.20
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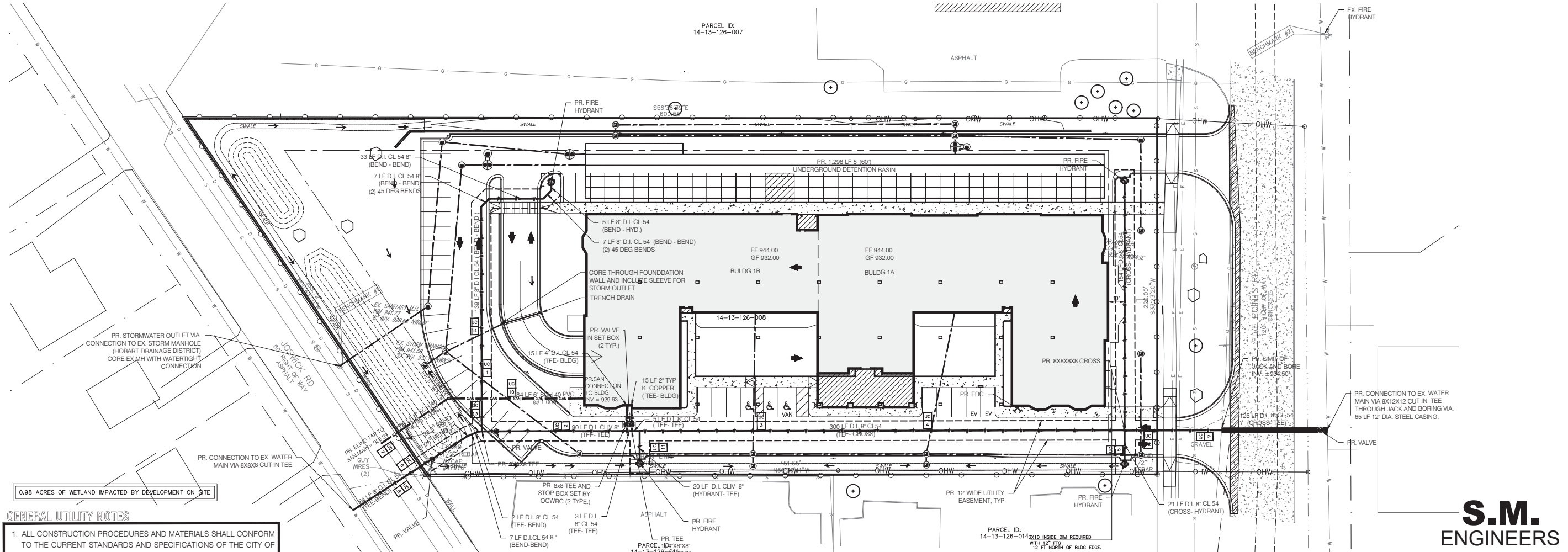
The Avant at Five Points

PID: 14-13-126-008  
Five Points Drive  
City of Auburn Hills, MI 48326

GradingPlan

018230

C4.0



GENERAL UTILITY NOTES

1. ALL CONSTRUCTION PROCEDURES AND MATERIALS SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF AUBURN HILLS.
2. A PRE-CONSTRUCTION MEETING SHALL BE SCHEDULED BY THE CITY OF AUBURN HILLS AND HELD PRIOR TO THE START OF CONSTRUCTION.
3. CONTRACTOR MUST CONTACT MISS DIG (811) AT LEAST THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION FOR UNDERGROUND UTILITY LOCATIONS. ALL UTILITIES SHALL BE STAKED BEFORE CONSTRUCTION BEGINS.
4. ALL WATER MAIN EASEMENTS SHALL BE PROVIDED PRIOR TO CONSTRUCTION AND ACCEPTANCE OF THE WATER DISTRIBUTION SYSTEM.
5. WATER MAINS SHALL BE CONSTRUCTED WITH A MINIMUM COVER OF 6 FEET BELOW FINISHED GRADES, INCLUDING OPEN DRAINAGE COURSES.
6. ALL TRENCHES UNDER OR WITHIN A 1:1 RATIO OF EXISTING OR PROPOSED PAVEMENT OR DRIVEWAYS, SHALL BE BACKFILLED WITH COMPACTED CLASS II SAND TO GRADE (95% MAXIMUM UNIT DENSITY).
7. WHERE TWO UTILITIES CROSS, PROVIDE CLASS II BACKFILL MATERIAL IN SIX (6) INCH COMPACTED LAYERS TO TOP HIGHEST UTILITY.
8. WHERE WATER MAINS DIP UNDER OTHER UTILITIES, THE SECTIONS WHICH ARE DEEPER THAN NORMAL SHALL BE CONSTRUCTED WITH 11-1/4" VERTICAL BENDS, 22 1/2° OR 45° BENDS MUST BE RODDED AND PROPERLY ANCHORED.
9. ALL PRECAST CONCRETE GATE WELL SECTIONS SHALL BE IN ACCORDANCE WITH A.S.T.M. C478, STANDARD SPECIFICATIONS FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS. WALL THICKNESS SHALL BE AS SHOWN ON THESE DETAILS. ALL JOINTS FOR PRECAST CONCRETE GATE WELL SECTIONS SHALL BE "MODIFIED GROOVE TONGUE" WITH GASKET MANUFACTURED TO CONFORM WITH A.S.T.M. C443, STANDARD SPECIFICATION FOR JOINTS FOR CIRCULAR CONCRETE SEWER AND CULVERT PIPE USING RUBBER GASKETS.
10. CONTRACTOR SHALL INSTALL VALVES, TAPPING SLEEVES, AND GATE WELL STRUCTURES IN STRICT COMPLIANCE WITH MEASUREMENTS PROVIDED ON SHEET 1 (2'-0" BETWEEN GATE WELL WELL AND CENTERLINE OF OPERATING NUT) TO ALLOW PROPER OPERATION OF VALVE THROUGH GATE WELL OPENING.
11. ALL CROSS-CONNECTION CONTROL DEVICES SHALL BE INSTALLED AS REQUIRED BY THE CITY OF AUBURN HILLS PLUMBING INSPECTOR AND IN ACCORDANCE WITH THE STANDARDS OF THE OAKLAND COUNTY DRAIN COMMISSIONER OPERATION AND MAINTENANCE DIVISION AND THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF DRINKING WATER AND RADIOLOGICAL PROTECTION.

12. ALL WATER SERVICE CONNECTIONS TWO (2) INCHES AND SMALLER SHALL BE MADE BY THE CITY OF AUBURN HILLS, DEPARTMENT OF PUBLIC SERVICES AFTER WATER MAIN ACCEPTANCE AND APPLICABLE PERMITS ARE OBTAINED.
13. ALL FITTINGS AND BENDS SHOULD BE BLOCKED IN ACCORDANCE WITH THRUST BLOCK DETAILS, UNLESS ALTERNATE THRUST RESTRAINT SYSTEM, AS INDICATED PLANS AND SPECIFICATIONS, IS APPROVED BY THE CITY OF AUBURN HILLS DEPARTMENT OF PUBLIC SERVICES.
14. MAINTAIN 10' - FOOT HORIZONTAL SEPARATION BETWEEN ALL UNDERGROUND UTILITIES THROUGHOUT.
15. WATERMAIN, SANITARY, STORM EASEMENTS AND STORM MAINTENANCE AGREEMENT WILL BE PROVIDED WITH ENGINEERING APPROVAL PLANS.
16. EXISTING AND PROPOSED WATER MAIN COVER MUST BE MAINTAINED AT 5.5'.
17. EXISTING AND PROPOSED SANITARY SEWER MUST BE MAINTAINED AT 4'.
18. EXISTING AND PROPOSED STORM SEWER MUST BE MAINTAINED AT 2.5'.
19. PROPOSED MINIMUM SANITARY LEAD IS TO BE A 6" DIAMETER SDR 23.5 @ 1.00% SLOPE.



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UTILITY CROSSING SCHEDULE

UC 1	GRADE 941.50± 18" STORM INV 934.43 TOP OF 8" WTR: 932.70 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 5	GRADE 941.70± 12" STORM INVERT 937.47 TOP OF 8" WTR 935.77 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 10	6" SAN INV: 929.16 18" STORM INVERT 934.46 TOP OF 6" SAN 929.66 (CLEARANCE 4.8 FT)
UC 2	GRADE 942.15± 18" STORM INVERT 934.52 TOP OF 8" WTR 932.50 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 6	GRADE 940.95± EX 30" STORM INVERT 930.46± TOP OF 8" WTR 935.45 BOTTOM OF 8" WTR: 934.78 TOP OF EX 30" STORM: 932.96± (CLEARANCE 1.82 FT.)	UC 11	GRADE 942.17± 15" STORM INVERT 934.78 TOP OF 8" WTR 933.08 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)
UC 3	GRADE 942.00± 12" STORM INVERT 937.76 TOP OF 8" WTR 936.06 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 7	6" SAN INV: 928.35 TOP OF 6" SAN 928.85 EX 30" STORM INVERT 930.68 (CLEARANCE 1.83 FT)	UC 12	GRADE 941.95± 12" STORM INVERT 937.65 TOP OF 8" WTR 935.95 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)
UC 4	GRADE 942.30± 12" STORM INVERT 938.05 TOP OF 8" WTR 936.35 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 8	GRADE 941.05± TOP OF 8" WTR : 935.55 BOTTOM OF 8" WTR : 934.88 TOP OF EX 8" SAN : 928.20 EX 8" SAN INV: 927.54 (TOTAL CLEARANCE 6.68 FT)	UC 13	GRADE 941.53± 6" SAN INVERT 929.00 TOP OF 6" SAN 929.50 TOP OF 8" WTR 936.03 BOTTOM OF 8" WTR 935.36 (TOTAL CLEARANCE 5.86 FT)
		UC 9	GRADE 941.80± EX 8" SAN INV: 926.18 TOP OF EX 8" SAN: 926.85 TOP OF 8" WTR : 936.30 BOTTOM OF 8" WTR: 935.98 (TOTAL CLEARANCE 9.13 FT)	UC 14	GRADE 941.42± TOP OF 8" WTR 933.05 12" STM INVERT 935.93 (TOTAL CLEARANCE 2.88 FT)

SANITARY BASIS OF DESIGN CALCULATION

PROPOSED USAGE	
TOTAL NUMBER OF UNITS	= 61 UNITS
R.E.U FOR HOTELS	= 0.60 PER RESIDENCE
TOTAL NUMBER OF R.E.U'S	= 36.6 R.E.U
ASSUMED R.E.U	= 37.0 R.E.U
POPULATION EQUIVALENT	
POPULATION	= 3.5 Persons per R.E.U.
AVERAGE FLOW RATE	= 130.0 Persons
AVERAGE FLOW RATE	= 100 Gallons per capita per day
AVERAGE FLOW RATE	= 12950 GPD
AVERAGE FLOW RATE	= 0.01295 MGD
PEAK FACTOR	= 2.0 ( Per city of Auburn Hills Standard)
PEAK FLOW	
	= (2.0)*(12950 GPD)
	= 25900 = 0.0259 MGD

NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008

THE LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE BASED ON RECORDS PROVIDED BY THE UTILITY OWNERS AND VISIBLE EVIDENCE OBTAINED IN THE FIELD. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED TO THE COMPLETENESS OR ACCURACY THEREOF.

S.M.  
ENGINEERS

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LANDSCAPE ARCHITECT

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6" SCH 40 PVC SANITARY PIPE	134 LF
8" D.I.CL 54 WATER PIPE	1002LF
4" D.I.CL 54 WATER PIPE	15 LF
2" TYP.COPPER WATER PIPE	15 LF
2X8X8 TEE	1
4X8X8 TEE	1
8X8X8 TEE	1
8X8X8 CUT IN TEE	1
8X12X12 CUT IN TEE	1
8X8X8X8 CROSS	1
11.25° BEND	1
22.5° BEND	1
45° BEND	4
8" WATER VALVE	3
FIRE HYDRANT	4
STOP BOX SET BY OCWRC (2 TYPE.)	1

LEGEND

---	PROPOSED EASEMENT
---	PROPERTY LINE
---	PROPOSED SANITARY LATERAL
---	PROPOSED WATER LINE
---	PROPOSED STORMWATER PIPING
---	PROPOSED WATER STRUCTURES
---	PROPOSED MANHOLES AND CATCH BASIN
---	PROPOSED SANITARY CLEANOUT

1

Water and Sanitary Plan

SCALE: 1" = 30'



301 WALNUT BOULEVARD  
ROCHESTER, MI 48307  
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Eng Rev	01.11.23
Eng. Sub # 3	03.12.20
Eng. Sub # 2	02.14.20
Eng. Sub # 1	2.16.19
---	---
Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date



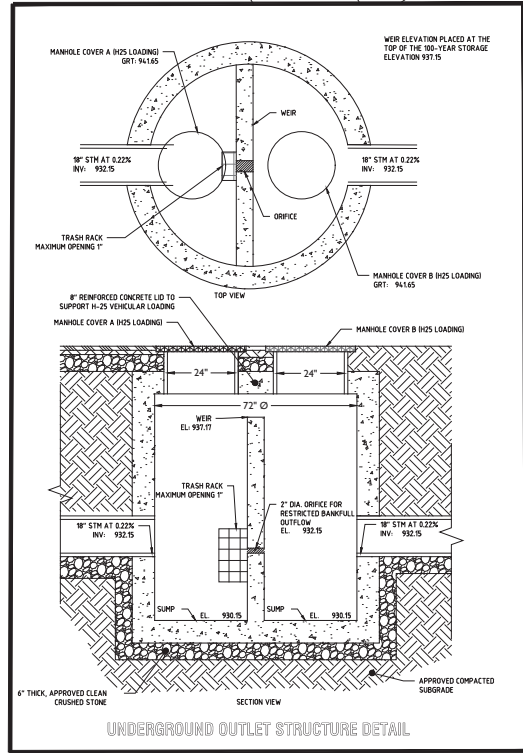
The Avant at Five Points

PID: 14-13-126-008  
Five Points Drive  
City of Auburn Hills, MI 48266

Water and  
Sanitary Plan

018230

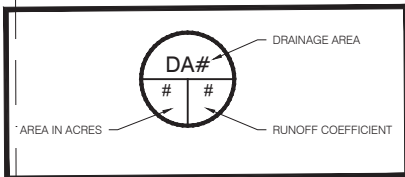
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The Aven	01/10/23	STORM SEWER CALCULATIONS																											
FROM MH/CB	TO MH/CB	Area A (sq ft)	Area B (sq ft)	Area C (sq ft)	Area D (sq ft)	Area E (sq ft)	Area F (sq ft)	Area G (sq ft)	Area H (sq ft)	Area I (sq ft)	Area J (sq ft)	Area K (sq ft)	Area L (sq ft)	Area M (sq ft)	Area N (sq ft)	Area O (sq ft)	Area P (sq ft)	Area Q (sq ft)	Area R (sq ft)	Area S (sq ft)	Area T (sq ft)	Area U (sq ft)	Area V (sq ft)	Area W (sq ft)	Area X (sq ft)	Area Y (sq ft)	Area Z (sq ft)		
CB16	CB14	0.08	2703	0.20	0.03	0.08	0.20	0.01	20.00	3.89	0.0130	0.18	2.02	29	12	0.32	2.5660	0.49	944.00	943.00	938.80	938.60	937.80	937.60	937.00	936.80	935.20	935.00	
CB14	CB12	0.07	2633	0.20	0.03	0.08	0.20	0.01	20.00	3.89	0.0130	0.18	2.02	29	12	0.32	2.5660	0.49	944.00	943.00	938.80	938.60	937.80	937.60	937.00	936.80	935.20	935.00	
CB12	CB10	0.10	79	4352	0.89	0.09	0.70	0.47	21.28	3.78	0.0130	0.18	2.02	107	12	0.32	2.5550	0.70	942.00	941.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40	
CB10	CB8	0.13	0	5298	0.97	0.11	1.43	0.80	22.80	3.73	0.0130	0.18	2.02	107	12	0.32	2.5550	0.70	942.00	941.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40	
CB8	CB6	0.09	0	2439	0.90	0.05	1.48	0.82	22.80	3.68	0.0130	0.18	2.02	107	12	0.32	2.5550	0.70	942.00	941.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40	
CB7	MH4	0.16	858	6056	0.81	0.13	1.93	0.59	1.14	23.28	3.62	0.0130	0.18	2.02	116	12	0.32	2.7879	0.69	941.75	941.00	938.60	938.40	937.80	937.60	935.20	935.00	933.60	933.40
MH3	MH2	0.16	858	6056	0.81	0.13	1.93	0.59	1.14	23.28	3.62	0.0130	0.18	2.02	116	12	0.32	2.7879	0.69	941.75	941.00	938.60	938.40	937.80	937.60	935.20	935.00	933.60	933.40
MH3	BASIN	0.16	858	6056	0.81	0.13	1.93	0.59	1.14	23.28	3.62	0.0130	0.18	2.02	116	12	0.32	2.7879	0.69	941.75	941.00	938.60	938.40	937.80	937.60	935.20	935.00	933.60	933.40
CB15	CB12	0.08	3495	0	0.20	0.02	0.08	0.20	0.02	20.00	3.89	0.0130	0.18	2.02	7	12	0.32	2.5660	0.05	939.55	942.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40
BLDG1A	CB13	0.31	0	13480	0.90	0.28	0.31	0.90	0.28	20.00	3.89	0.0130	0.18	2.02	29	12	0.32	2.5660	0.19	944.00	943.00	938.80	938.60	937.80	937.60	935.20	935.00	933.60	933.40
CB13	CB12	0.05	2126	238	0.27	0.01	0.36	0.81	0.29	20.19	3.87	0.0130	0.18	2.02	61	12	0.32	2.5660	0.40	943.00	942.00	938.80	938.60	937.80	937.60	935.20	935.00	933.60	933.40
CB11	CB10	0.16	7185	0	0.20	0.03	0.16	0.20	0.03	20.00	3.89	0.0130	0.18	2.02	8	12	0.32	2.5660	0.05	939.55	942.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40
BLDG1B	CB10A	0.38	250	16323	0.89	0.54	0.38	0.89	0.54	20.00	3.89	0.0130	0.18	2.02	29	12	0.32	2.5660	0.19	944.00	943.00	938.80	938.60	937.80	937.60	935.20	935.00	933.60	933.40
CB10A	CB10	0.08	3310	232	0.25	0.02	0.46	0.78	0.36	20.19	3.87	0.0130	0.18	2.02	58	12	0.32	2.5660	0.38	942.00	941.00	938.70	938.50	937.90	937.70	935.10	934.90	933.30	933.10
CB8	CB7	0.19	8079	0	0.20	0.04	0.19	0.20	0.04	20.00	3.89	0.0130	0.18	2.02	16	12	0.32	2.5660	0.10	939.90	941.00	938.90	938.70	938.10	937.90	935.30	935.10	933.50	933.30
CB6	MH4	0.08	3270	0	0.20	0.02	0.08	0.20	0.02	20.00	3.89	0.0130	0.18	2.02	56	12	0.32	2.5660	0.36	942.00	941.00	938.60	938.40	937.80	937.60	935.10	934.90	933.30	933.10
MH4	CB1	0.23	0	10126	0.90	0.21	0.56	0.40	0.62	21.42	3.77	0.0130	0.18	2.02	115	12	0.32	2.5660	0.75	942.00	941.00	938.20	938.00	937.30	937.10	934.50	934.30	932.70	932.50
MH5	BASIN	0.23	0	10126	0.90	0.21	0.56	0.40	0.62	21.42	3.77	0.0130	0.18	2.02	115	12	0.32	2.5660	0.75	942.00	941.00	938.20	938.00	937.30	937.10	934.50	934.30	932.70	932.50
CB2	CB1	0.30	13037	0	0.20	0.06	0.30	0.20	0.06	20.00	3.89	0.0130	0.18	2.02	7	12	0.32	2.5660	0.05	939.55	942.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40
CB4	CB3	0.74	32261	0	0.20	0.15	0.74	0.20	0.15	20.00	3.89	0.0130	0.18	2.02	7	12	0.32	2.5660	0.05	939.55	942.00	937.80	937.60	937.00	936.80	935.20	935.00	933.60	933.40
CB3	CB1	0.21	0	9228	0.90	0.19	0.95	0.38	0.34	21.42	3.88	0.0130	0.18	2.02	210	12	0.32	2.5550	1.37	940.70	941.00	938.50	938.30	937.60	937.40	934.80	934.60	933.00	932.80
TRENCH	CB7	0.10	1735	2546	0.62	0.06	0.10	0.62	0.06	20.00	3.89	0.0130	0.18	2.02	40	12	0.32	2.5660	0.28	936.20	941.00	935.70	935.50	934.90	934.70	933.10	932.90	931.30	931.10

4071 KEATS DRIVE,  
TROY, MI 48085  
T: 248.835.3553

### DRAINAGE AREA KEY



## DRAINAGE QUANTITIES

18" RCP CLIV STORM PIPE	554 LF
15" RCP CLIV STORM PIPE	118 LF
12" RCP CLIV STORM PIPE	797 LF
8" SCH 40 PVC STORM LEAD	175 LF
STORM MANHOLE	4
STORM MANHOLE (BYPASS)	2
CATCH BASIN	14
WATER QUALITY STRUCTURE	2
OUTLET STRUCTURE	1

THE LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE BASED ON RECORDS PROVIDED BY THE UTILITY OWNERS AND VISIBLE EVIDENCE OBTAINED IN THE FIELD. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED TO THE COMPLETENESS OR ACCURACY THEREOF.

## OUTLET CONTROL STRUCTURE CALCULATIONS

Area of Site (A) = 3.49 Acres,  
 $Q_a = 3.49 \times 0.09 = 0.31 \text{ CFS}$   
 $C_{AVG} = 0.54$   
 Lowest FG at Underground Detention = 941.54  
 Underground 60" Invert elevation = 932.17  
 100 Year Elevation = 937.17  
 Invert at Outlet Control Structure = 932.15  
Outlet Orifice Elevation = 932.15  
 $A = Q / (0.62 \times (2 \times g \times \text{Havg})^{0.5})$   
 $\text{Havg} = \text{ELEV100} - \text{ELEVorifice} = 5.0 \text{ ft}$   
 $D = 2" \text{ at } 932.15$

## DETENTION CALCULATIONS

Area of Site (A) = 3.49 Acres, Qa =  $3.49 \times 0.09 = 0.31$  CFS

$C_{PAVED} = 0.90$        $C_{GRASS} = 0.20$

Weighted Value  $C_{PAVED} = (73,452 \text{ SF}) \times (0.90) = 66,107 \text{ SF}$

Weighted Value  $C_{GRASS} = (78,388 \text{ SF}) \times (0.20) = 15,678 \text{ SF}$

$C_{AVG} = (66,107 \text{ SF} + 15,678 \text{ SF}) / (78,388 \text{ SF} + 73,452 \text{ SF}) = 0.54$

$Q_o = 0.31 \text{ CFS} / (3.49 \times 0.54) = 0.17$

$T100 = -25 + \text{Sq.Rt. } (10,312.5 / Q_o) = 223.43 \text{ min.}$

$V_s = (16,500 \text{ T} / (T + 25)) - 40$   $Q_o T = 13,346 \text{ CF}$

$V_t = V_s \times A \times 0.54 = 25,089 \text{ CF}$

Total Detention Storage Required = 25,089 CF

Proposed pipe size = 5' dia. = 60"

Pipe area = 19.63 SF

Provided length of pipe = 1,340 LF

Total Detention Storage Provided = 26,304 CF



Know what's **below**.  
**Call** before you dig.

PLANTING DETAILS

DECIDUOUS TREES

DO NOT CUT LEADER  
NOTE: STAKE TREES OVER 2" CALIPER. GUY TREES OVER 3" CALIPER. TREE SHALL HAVE SAME RELATIONSHIP TO FINISHED GRADE AS IT HAD AT PLACE OF ORIGIN.

ARBORVITAE

3" X 8" HARDWOOD STAKE SET 18" INTO UNDISTURBED SOIL

3" - 4" SHREDDED BARK MULCH EXCEPT AT TREE BASE

REMOVE BURLAP FROM TOP 1/3 OF BALL. SLASH BURLAP AND CUT WIRE ON ROOTBALL AT 18" INTERVALS (BOTH HORIZONTAL AND VERTICAL) UNDISTURBED SOIL

TREE WRAP

EVERGREEN TREES

NOTE: REMOVE ALL TAGS, STRINGS, PLASTICS, AND ANY OTHER MATERIALS WHICH ARE UNSIGHTLY OR COULD CAUSE GIRDLING.

ARBORVITAE

COVER PLANTING WITH 4" SHREDDED HARDWOOD BARK MULCH TO 6" BEYOND OUTERMOST BRANCHES. LEAVE 3" BARE SOIL AROUND TREE

SET PLANT MATERIAL AT SAME RELATIONSHIP TO FINISHED GRADE AS WAS IN NURSERY CUT ALL BINDING AND REMOVE BURLAP FROM TOP 1/3 OF ROOTBALL

AMEND SOIL PER SITE CONDITIONS AND REQUIREMENTS OF THE TREE

FINISH GRADE

3" X 8" HARDWOOD STAKE SET 18" INTO UNDISTURBED SOIL

3" - 4" SHREDDED BARK MULCH EXCEPT AT TREE BASE

PERENNIALS

PERENNIALS-SIZE AND SPACING AS SHOWN ON PLAN

3" SHREDDED BARK MULCH

PLANTING MIXTURE: 50% TOPSOIL, 50% SPHAGNUM PEAT MIXTURE UNDISTURBED SOIL

SHRUBS

NOTE: PLANT SHRUB AT SAME RELATIONSHIP TO FINISHED GRADE AS IT HAD TO GRADE AT PLACE OF ORIGIN

VARIES

4" SHREDDED BARK MULCH CUT AND REMOVE BURLAP FROM TOP 1/3 OF BALL. SLASH REMAINING BURLAP LIMIT OF BARE ROOT SPREAD UNDISTURBED SOIL

TREE PROTECTION NOTES

1. Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape.
2. Erect barriers of four (4) foot high fencing staked with metal "T-posts" five (5) feet on center or all such trees or groups of trees proposed to remain
3. Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved by the City to be removed, or when a Certificate of Occupancy is issued
4. Keep clear all debris or fill, equipment, and material from within the required protective barrier
5. During construction, the owner, developer, or agent shall not cause or permit any activity within the fence line of any protected tree or group of trees including, but not limited to, the storage of equipment, dumpster, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree
6. No damaging attachment, wires (other than cable wires for trees), signs or permits may be fastened to any tree protected by this Ordinance

REPLACEMENT TREE INFO

Description	Surveyed Trees	Replacement Trees
Non-Regulated Trees	56 Trees	0 Required/Provided
Removed Landmark Trees (0')	0 Trees	0 Required/Provided
Removed Regulated Trees	20 Trees	28 Provided
Previous Mass-Grading	N/A	N/A
Saved Trees	59	N/A

REGULATIONS

Parcel Area: 2.66 Acres Gross (2.22 Acres Net)		
Requirement	Required	Provided
Net Landscape Area	20% of net area: 19,340 SF	41.07% (39,719 SF)
Site Area Landscaping	50/50 approx. mix of evergreen & deciduous trees per 1,000 SF of required landscape area 19,340 SF Required = 20 trees	70 Trees Total (40 Deciduous + 30 Evergreen)
Frontage Landscaping	1 tree per 30' along road 220' frontage/30' = 7 Trees (Five Points) 265' frontage/30' = 9 trees (Joswick)	7 Trees (Five Points) 20 Trees (Joswick) 27 Frontage Trees
Parking Interior Landscaping	N/A	N/A
Total Replacement Trees	20 Regulated Trees to be replaced	20 Trees Provided
Total Landscape Trees	36 Trees Required	86 Total Trees Provided

LANDSCAPE/TREE REPLACEMENT NOTES

1. All installed trees are to have a straight trunk
2. All installed trees are to be northern grown
3. All installed trees are to be state department of agriculture nursery grade no. 1 or better
4. All replacement trees are considered protected regardless of size
5. All trees shall be guaranteed for a minimum of two years
6. All landscaped areas shall be irrigated with an underground sprinkler system

PLANT SCHEDULE (TREES)

Diversity Requirements: One genus to contribute no more than 40% of trees (86 trees x 0.40 = 34 trees max per genus) One species to contribute to no more than 20% of the trees (86 trees x 0.20 = 17 trees max per species)					
QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)	SPECIES	GENUS
12	At	ACER x freemanii 'ARMSTRONG/FREEMAN MAPLE	3" CAL	19%	14%
8	Ap	Pinus nigra AUSTRIAN PINE	8" B&B	17%	9%
4	As	ACER rubrum 'RED SUNSET/RED SUNSET MAPLE	3" CAL	19%	5%
6	Al	AMELANCHIER leavis/SERVICEBERRY	8-10" B&B	7%	7%
4	Gt	GLEDTISIA triacanthos f. inermis 'SKYCOLE/ THORNLESS HONEYLOCUST	3" CAL	5%	5%
6	Pg	PICEA glauca 'DENSATA/BLACK HILLS SPRUCE	8" B&B	23%	7%
7	Rc	Juniperus virginiana EASTERN RED CEDAR	8" B&B	8%	8%
16	Tp	THUJA (standish x plicata) 'GREEN GIANT/GREEN GIANT ARBORVITAE	8" B&B	19%	19%
2	Sw	Quercus bicolor SWAMP WHITE OAK	3" CAL	2%	2%
7	Wp	Pinus strobus WHITE PINE	8" B&B	17%	8%
14	Ws	Picea glauca WHITE SPRUCE	8" B&B	23%	16%
TOTAL TREES: 86				100%	

PLANT SCHEDULE (SHRUBS/PERENNIALS/ORNAMENTAL GRASSES)

QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)
54	Bg	BUXUS x 'GREEN VELVET/GREEN VELVET BOXWOOD	3 GAL
35	Ca	CALAMAGROSTIS x acutiflora/KARL FOERSTER GRASS	3 GAL
26	Hp	HYDRANGEA paniculata 'JANE/LITTLE LIME HARDY HYDRANGEA	3 GAL
31	HS	HEMEROCALLIS/STELLA D'ORO DAYLILY	1 GAL (12" O.C.)
39	Pa	PENNISETUM alopecuroides 'HAMELN/DWARF FOUNTAIN GRASS	1 GAL
43	Js	JUNIPEROUS scopulorum 'WITCHITA BLUE/WICHITA BLUE JUNIPER	5 GAL
34	Ss	SEDUM spectabile 'AUTUMN JOY/AUTUMN JOY STONECROP	1 GAL
48	Th	TAXUS x media 'HICKSII/HICKSII YEW	15-18" B&B
25	Vm	VIBURNUM plicatum tomentosum 'MARIESII/DOUBLEFILE VIBURNUM	30-32" B&B
TOTAL SHRUBS/PERENNIALS/ORNAMENTAL GRASSES: 325			



EST 1998

DESIGNHAUS

ARCHITECTURE

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THE AVANT  
AT FIVE POINTS

PUD Resubmission	---
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date

PETER M. STUMPF  
ARCHITECT  
LICENSED PROFESSIONAL ARCHITECT  
NOVEMBER 1998

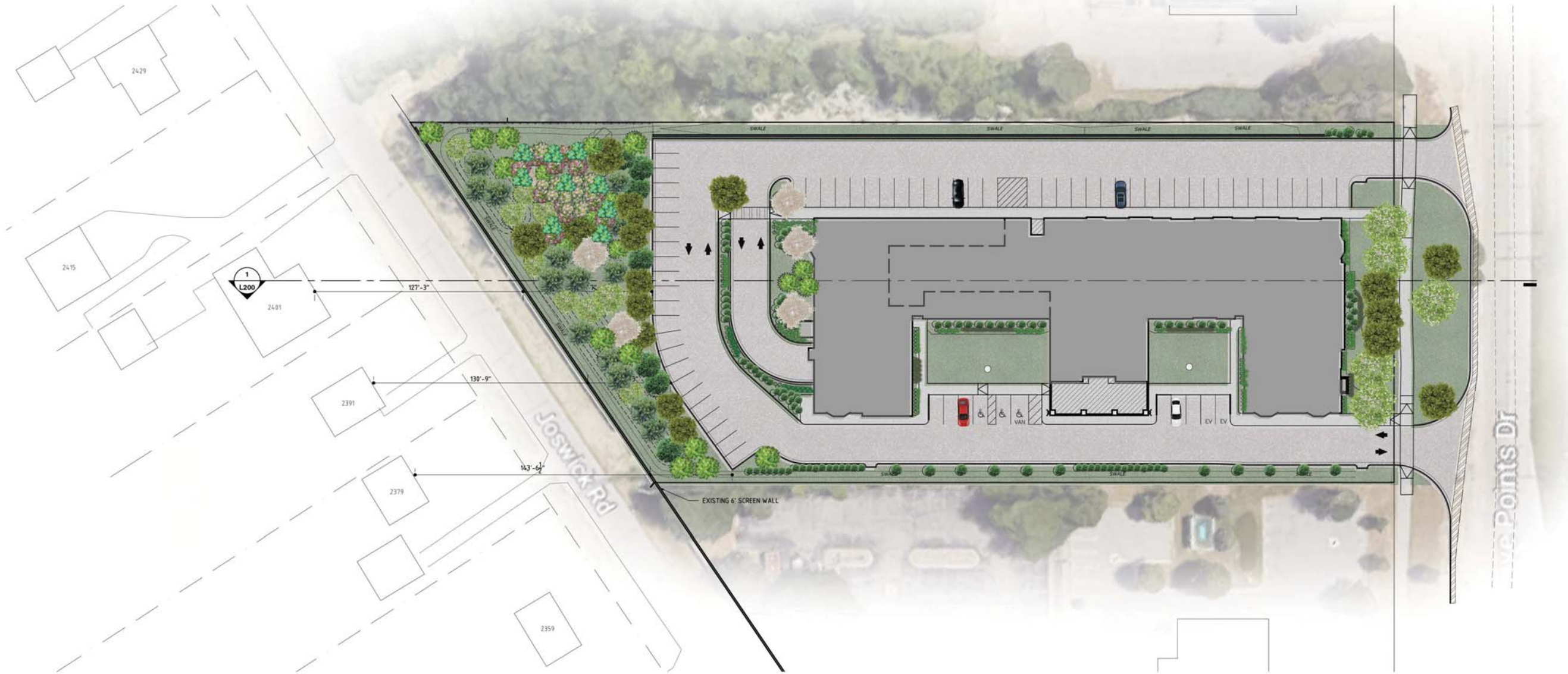
The Avant at Five Points

Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

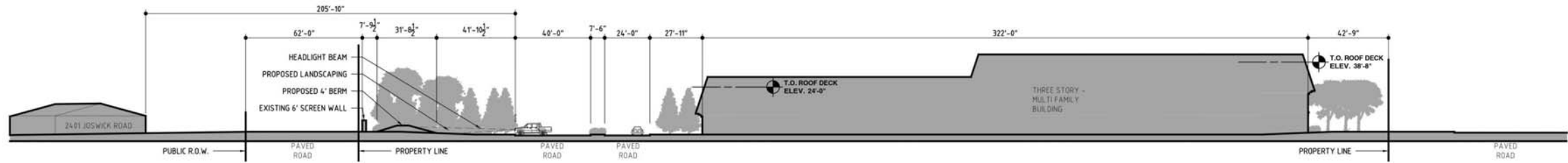
Landscape Plan

018230

L100



2 Headlight Site Section Plan  
SCALE: 1/32" = 1'



1 Headlight Site Section  
SCALE: 1/8" = 1'

<b>DESIGNHAUS</b> ARCHITECTURE EST. 1998	
301 WALNUT BOULEVARD ROCHESTER, MI 48307 T:248.601.4422 F:248.453.5854 WWW.DESIGNHAUS.COM INFO@DESIGNHAUS.COM	
The Avant at Five Points Proposed Revised PUD Five Points Drive City of Auburn Hills, MI 48326	
Headlight Offset Site Section	018230
L200	
PUD Resubmission	---
PUD Resubmission	---
PUD Resubmission	---
PUD Resubmission	23.02.26
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date
PUD Resubmission	22.08.05
Revision/Issue	Date

General Note  
1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.  
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.  
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: GRADE

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Grade	+	1.1 fc	9.4 fc	0.0 fc	N/A	N/A	0.1:1
Main Entrance	✕	4.8 fc	8.6 fc	1.5 fc	5.7:1	3.2:1	0.6:1
North Lot	✕	1.6 fc	7.1 fc	0.3 fc	23.7:1	5.3:1	0.2:1
South Lot	✕	2.3 fc	7.4 fc	0.3 fc	24.7:1	7.7:1	0.3:1
West Drive	✕	1.8 fc	5.9 fc	0.4 fc	14.8:1	4.5:1	0.3:1

Schedule										
Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Number Lamps	Filename	Lumens per Lamp	LLF	Wattage
○	A	9	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 3 DISTRIBUTION WITH BACK LIGHT CONTROL	1	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS.ies	4467	0.9	64
○	B	6	Lumenpulse Inc.	NAU8200 XX CPL L50 40K 3	NAUTICA 53W 4000K TYPE III DECORATIVE CHABOUD	1	X7100-0LE3-056L-CW.ies	4423	0.9	60.75
○	C	3	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-55	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 5 SQUARE DISTRIBUTION	1	LIAM-120-277-CSL-M110-40K-CRI 80-55.ies	10133	0.9	92
○	D	2	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 3 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS.ies	5940	0.9	92
○	E	6	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-4	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 4 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-4.ies	9366	0.9	92
○	F	2	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-4 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 4 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-4 BLS.ies	4870	0.9	92

Specification Sheet

Allegra Medium  
7200

Specification Sheet

lumenicon  
Area Medium  
0401



Colors and Color Temperatures

3000K 4000K 5000K



Description

The Allegra 8200 is a durable, high-performance LED luminaire for nautical and marine environments, including boardwalks, piers, docks, lakeside promenades and seaside parks. Featuring a nautical design and a small form factor, the luminaire is endlessly adaptable, with a choice of outputs, color temperatures, mounting arms (pole, side or decorative), finishes, and colors.

Features

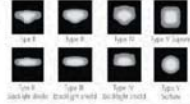
Output (module lumens) 2540lm (30W, 1 LED module) 5090lm (35W, 1 LED module)  
Color and Color Temperature 3000K, 4000K, 5000K  
Distributions Type R, Type W, Type VS  
Optical Option Decorative shield  
Options Photoelectric cell button type, Surge protector  
Mounting Options Top mounted  
Warranty 5-year limited warranty  
Performance  
Color Rendering 70+  
Lumen Maintenance >70,000 hrs (to 35 °C)

NOTE:

- 1) The light poles with fixtures shall be no taller than 16.53 feet, measured from the grade to the top of the light fixture.
- 2) Full cut-off fixtures shall be used to prevent glare and direct illumination away from adjacent properties and streets.
- 3) The lens shall be flat and flush with the bottom of the shielded light fixture casing.



Distributions



Colors and Color Temperatures 2200K 2700K 3000K 3500K 4000K 5700K

Control

ON/OFF 0-10V

Rating IP65 (light engine only)



Certifications



Description

The Lumenicon Area Medium creates a consistent aesthetic while illuminating city streets, local roads, residential streets, parking lots and overpasses. An innovative, toolless opening system makes the photometric component easy to access. IP65-rated with phenomenal heat dissipation, the Lumenicon Area Medium is ready to take it to the streets (or parking lots, or building sites, or overpasses, or...).

Features

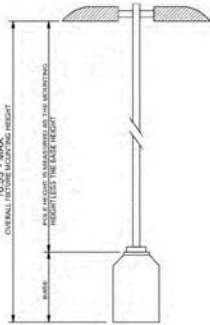
Color and Color Temperature 2200K, 2700K, 3000K, 3500K, 4000K, 5700K  
Distributions Type R, Type W or Type V (with or without backlight shield), Type 5 square and Type V Square  
3G Vibration Rated Meets 3G ANSI C136.31 vibration standard for bridge applications  
Options Surge protector, 5 pins receptacle, 5 pins receptacle with shoring cap, 7 pin receptacle, 7 pins receptacle with shoring cap  
Warranty 5-year limited warranty  
Performance  
Output (nominal lumens) Minimum 3000lm / Maximum 20000lm  
Color Rendering 3 SEDCM at CRI 70+ and 2 SEDCM at CRI 80+  
Lumen Maintenance (lm) 170,527,000 hrs (projected, to 77 °F) 36,000 hrs (projected, to 77 °F)  
Dark sky Dark sky compliant (2200K, 2700K, 3000K and 3500K Color temperatures, BUG rating of U0)

lumenpulse

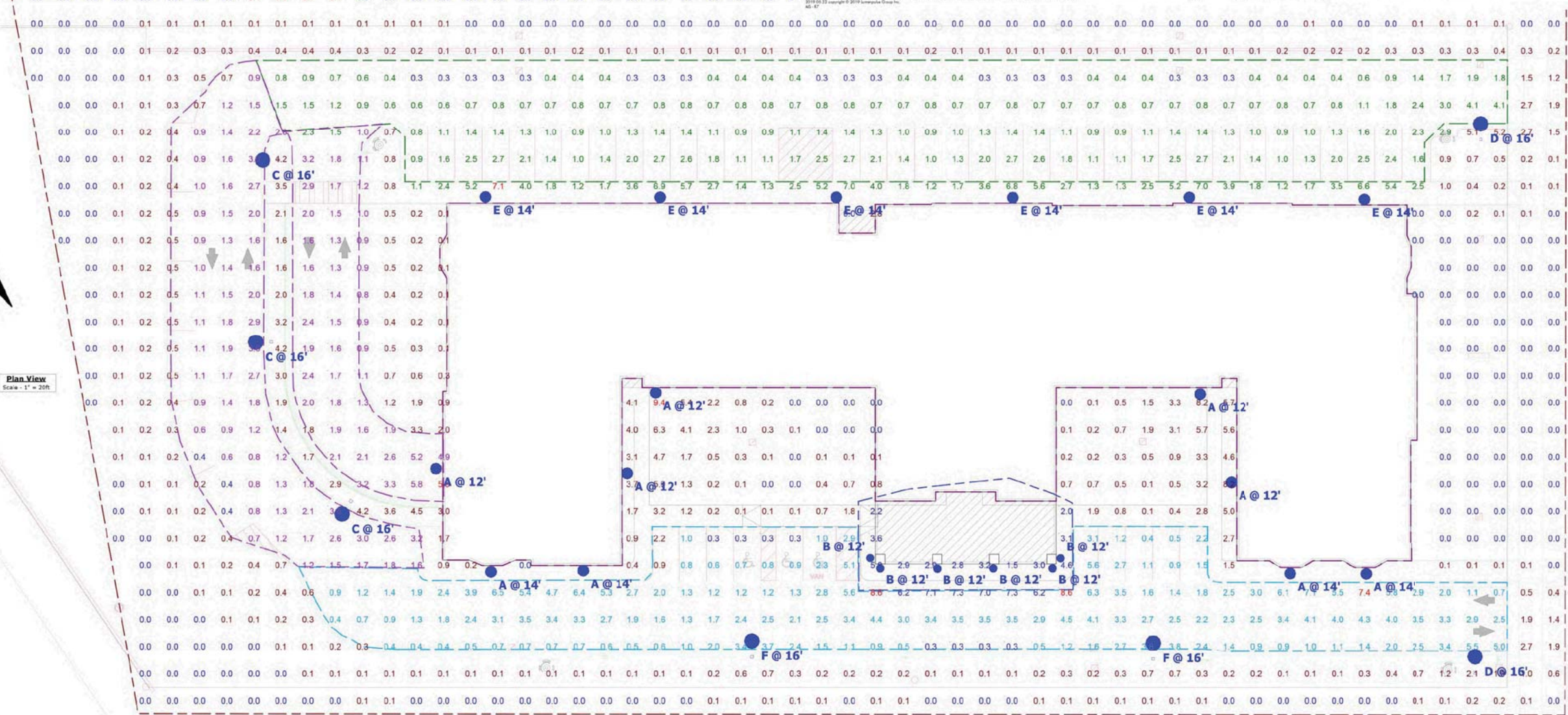
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Plan View  
Scale - 1" = 20ft



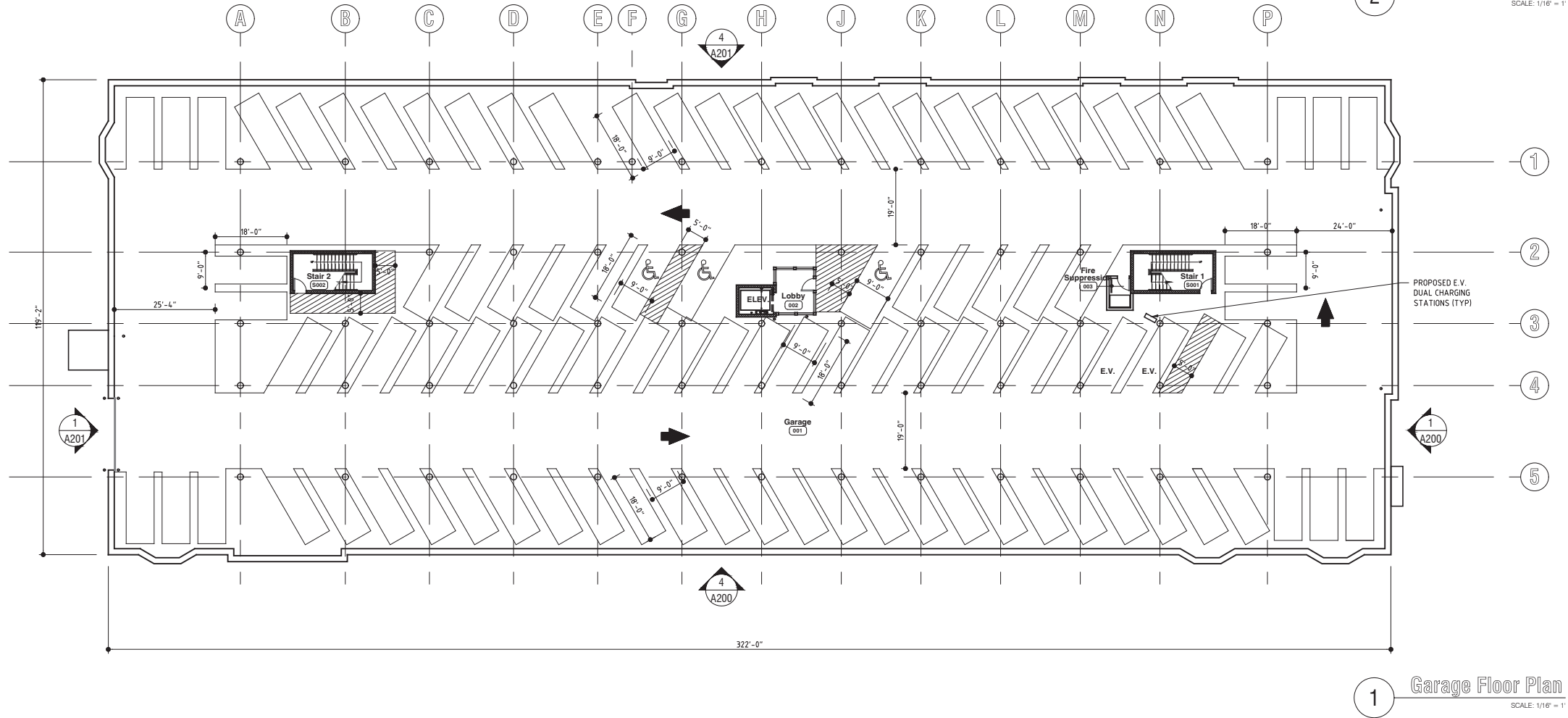
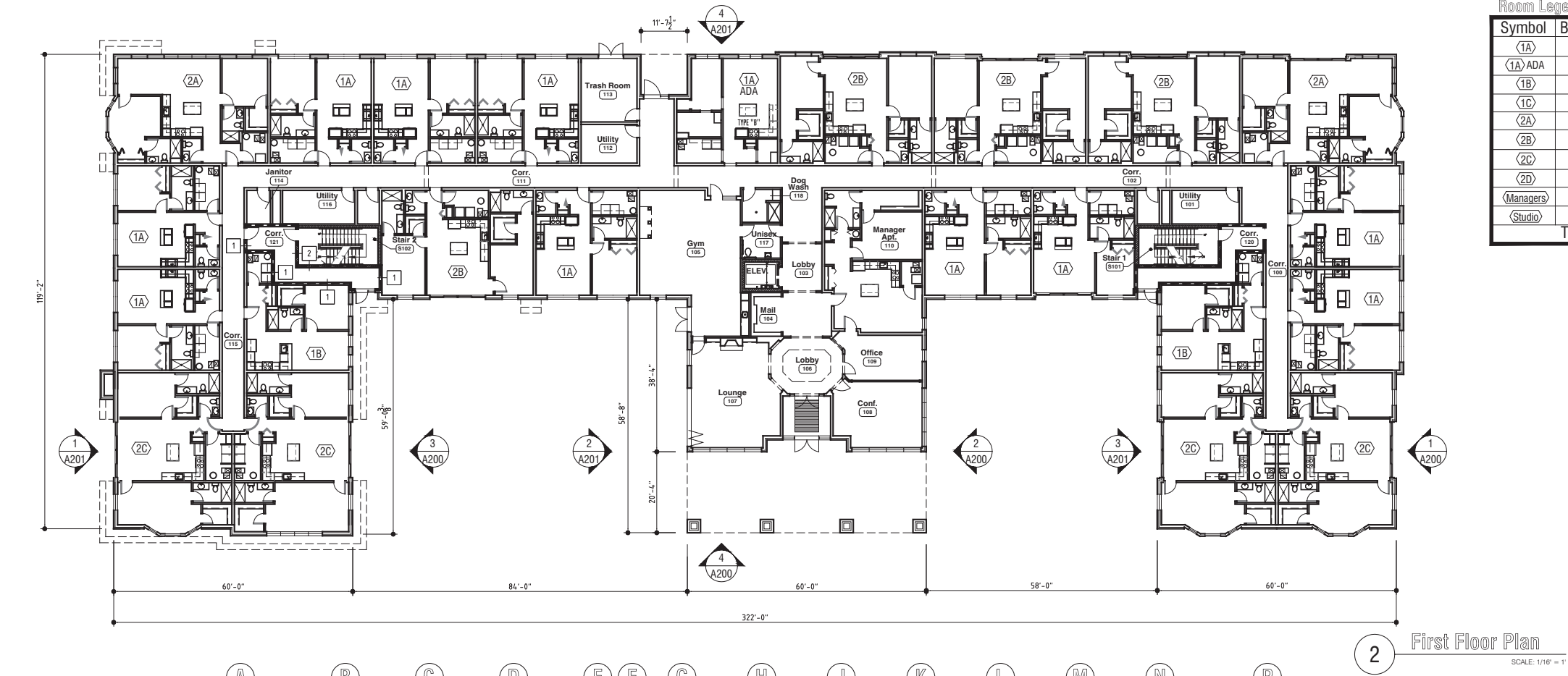
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date

The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Lighting Plan

018230

L300



Room Legend

Symbol	Bedrooms	Area	1st Floor	2nd Floor	3rd Floor	Total
(1A)	1	649 nsf	10	10	2	22
(1A) ADA	1	668 nsf	1	1	1	3
(1B)	1	599 nsf	2	2	1	5
(1C)	1	941 nsf	0	1	1	2
(2A)	2	1,015 nsf	2	2	1	5
(2B)	2	1,013 nsf	4	4	4	12
(2C)	2	1,060 nsf	4	6	4	14
(2D)	2	970 nsf	0	1	1	2
(Managers)	1	845 nsf	1	0	0	1
(Studio)	1	475 nsf	0	1	1	2
Total			24	28	16	68

CODE DATA

CODES OF JURISDICTION

- 2015 BUILDING CODE.
  - 2015 MICHIGAN PLUMBING CODE.
  - 2015 MICHIGAN MECHANICAL CODE.
  - MICHIGAN UNIFORM ENERGY CODE RULES PART 120-2015 WITH ANSI/ASHRAE/IESNA STANDARD 90.0-2009.
  - 2017 MICHIGAN ELECTRICAL CODE INCORPORATING THE 2017 NATIONAL ELECTRICAL CODE (NEC).
  - AMERICANS WITH DISABILITY ACT - ACCESSIBILITY GUIDELINES (ADAAG).
- BUILDING DATA**
- 3 LEVELS ABOVE GRADE - 1 LEVEL BELOW GRADE.
- TOTAL GROSS SQUARE FOOTAGE: 77,180 SQ.FT ABOVE GRADE - 38,634 SQ.FT. BELOW GRADE
- USE GROUP: R-2 RESIDENTIAL ABOVE GRADE.  
S-2 PARKING BELOW GRADE.
- CONSTRUCTION TYPE: V-B ABOVE GRADE, I-B BELOW GRADE
- FIRE SUPPRESSION TYPE: FULLY SPRINKLERED PER N.F.P.A. 13
- MIXED OCCUPANCIES: R-2 USE GROUP, S-2 PARKING FIRE RESISTANCE RATING: 3 HOUR SEPARATION BETWEEN GROUPS.



GROSS AND USABLE FLOOR AREA ANALYSIS

LEVEL	GROSS AREA	USABLE AREA
LOWER LEVEL - PARKING GARAGE	38,665 SF	
FIRST FLOOR	29,022 SF	27,957 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 50 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 442 SF
		CORRIDORS 3,592 SF
		TOTAL: 4,739 SF
SECOND FLOOR	30,172 SF	29,136 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 83 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 442 SF
		CORRIDORS 3,076 SF
		TOTAL: 4,256 SF
THIRD FLOOR	20,671 SF	20,078 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 83 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 137 SF
		STORAGE 1,730 SF
		CORRIDORS 2,400 SF
		TOTAL: 5,005 SF
TOTAL	118,530 SF	77,171 SF



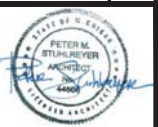
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PUD Resubmission	---
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PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date

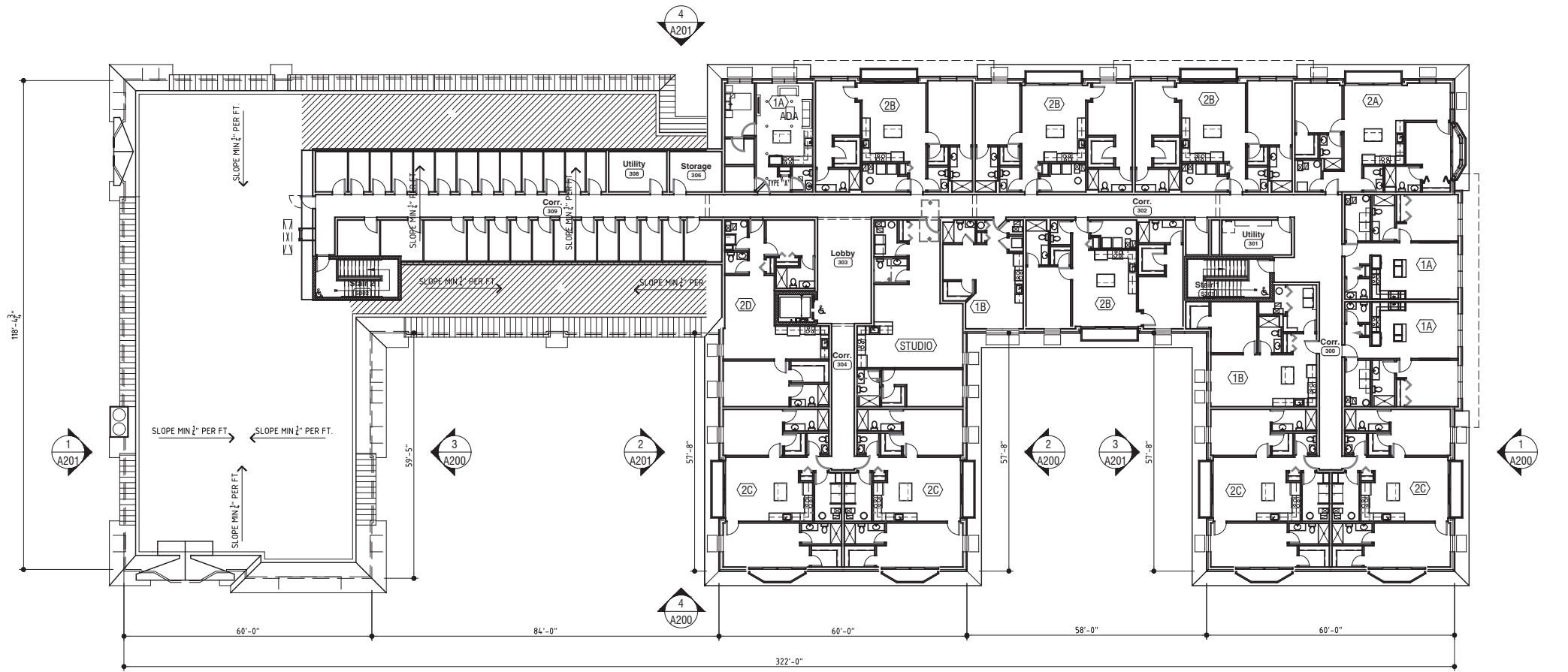


The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Garage & First  
Floor Plans

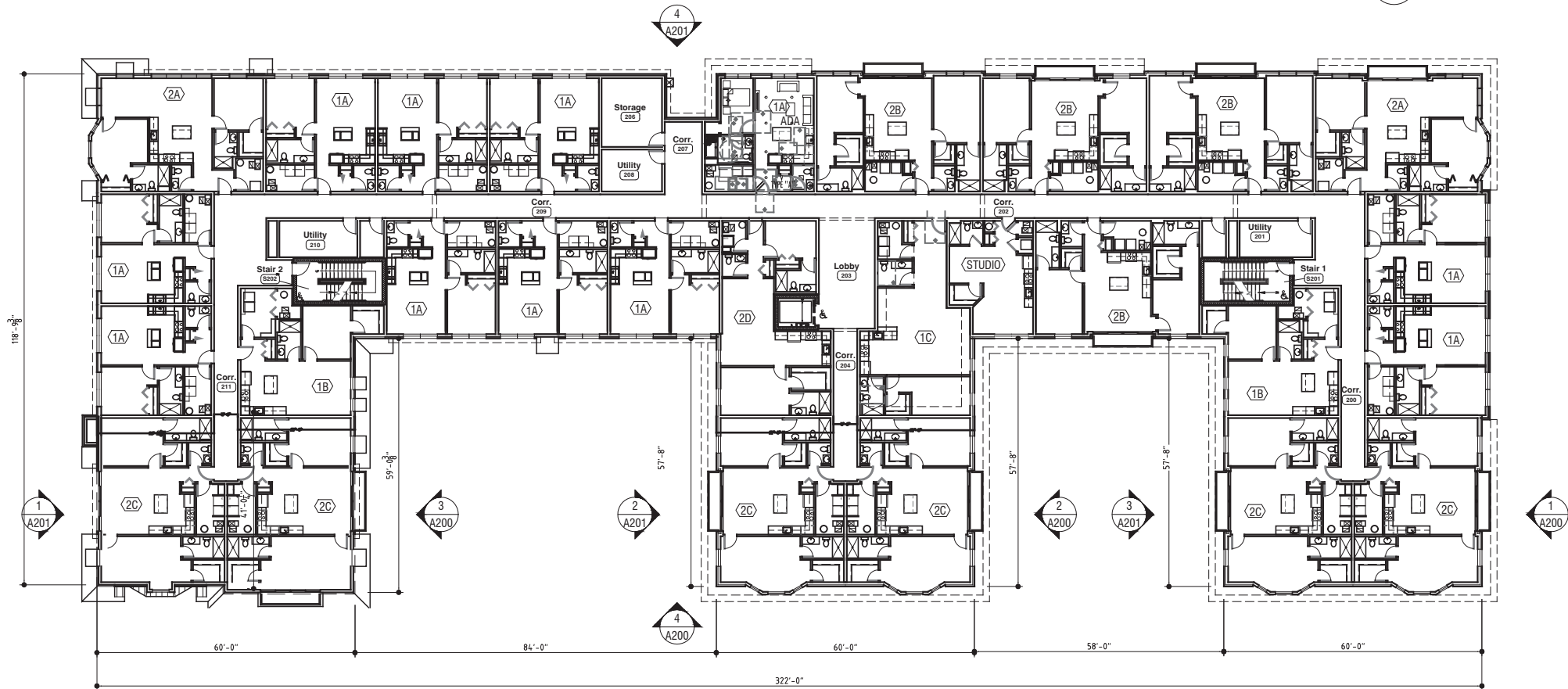
018230

A100



2 Third Floor Plan

SCALE: 1/16" = 1'



1 Second Floor Plan

SCALE: 1/16" = 1'



#### Room Legend

Symbol	Bedrooms	Area	1st Floor	2nd Floor	3rd Floor	Total
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Total			24	28	16	68

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##### BUILDING DATA

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		TRASH ROOM 224 SF
		JANITOR 83 SF
		ELEV./STAIRS 431 SF
		MECH/ELEC./DATA 137 SF
		STORAGE 1,730 SF
		CORRIDORS 2,400 SF
		TOTAL: 5,005 SF
TOTAL	118,530 SF	77,171 SF

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PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date



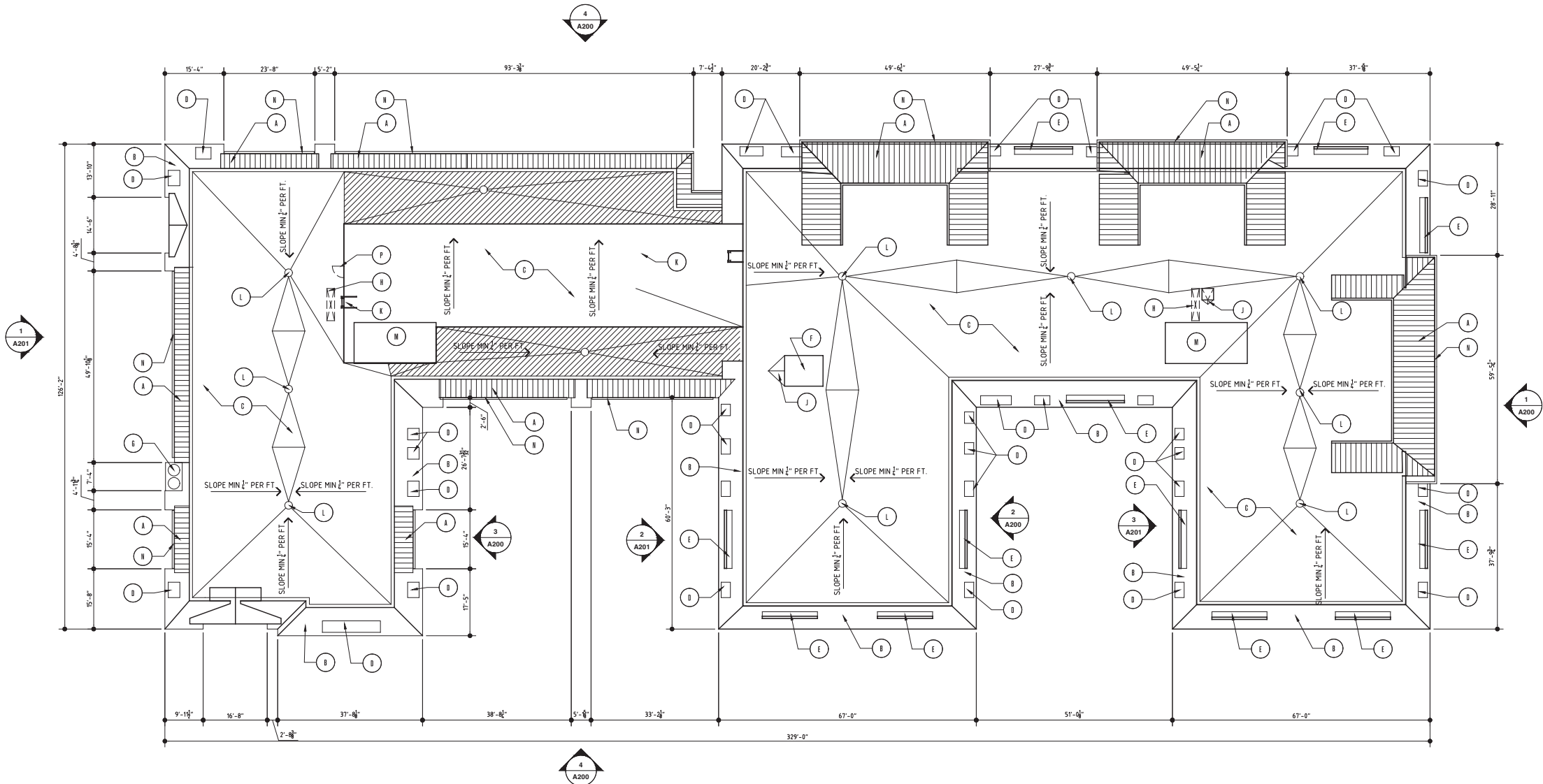
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Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

**Second & Third  
Floor Plans**

018230

**A101**

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SIDWELL # 14-13-126-008



1 Roof Plan  
SCALE: 1/16" = 1'



Roof Legend	
A	METAL ROOF
B	ASPHALT SHINGLES
C	ROOF MEMBRANE
D	WINDOW WELL
E	BALCONY
F	ELEVATOR
G	CHIMNEY
H	MECHANICAL SHAFT BELOW
J	ROOF SADDLE
K	PERMANENT ROOF LADDER WITH RAILS
L	ROOF DRAIN AND OVERFLOW
M	STAIR TOWER
N	GUTTER
P	ROOF ACCESS DOOR (SEE 3RD FLOOR PLAN)

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THE AVANT  
AT FIVE POINTS

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PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date

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ARCHITECT  
44000  
LICENSED ARCHITECT

The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Roof Plan

018230

A102

A200 Elevations.dwg

3/13/2023

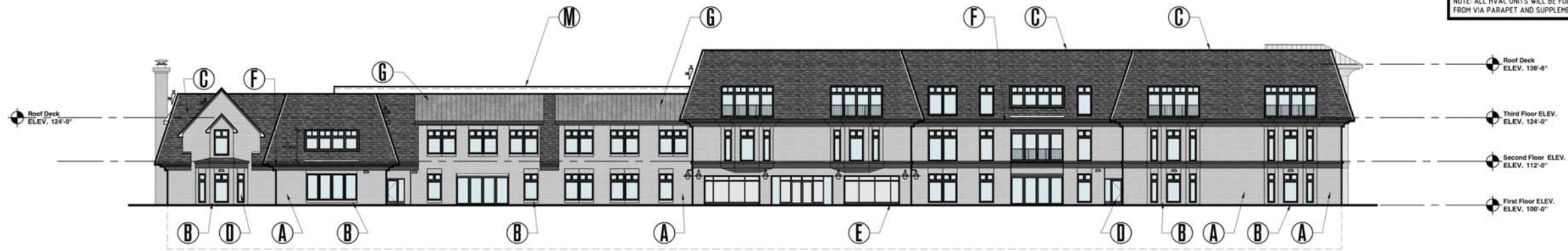
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Material Legend	
A	BRICK
B	LIMESTONE
C	SHINGLE ROOF
D	GLAZING
E	ALUMINUM FRAMED WINDOW
F	FASCIA TRIM
G	STANDING SEAM METAL ROOF
H	EFS TRIM
J	METAL WRAP
K	ALUM. GLASS & DOOR W/ TRANSOM
L	ALUM. GLASS & ACCORDION DOOR
M	FLAT ROOF BEYOND - STORAGE AREA

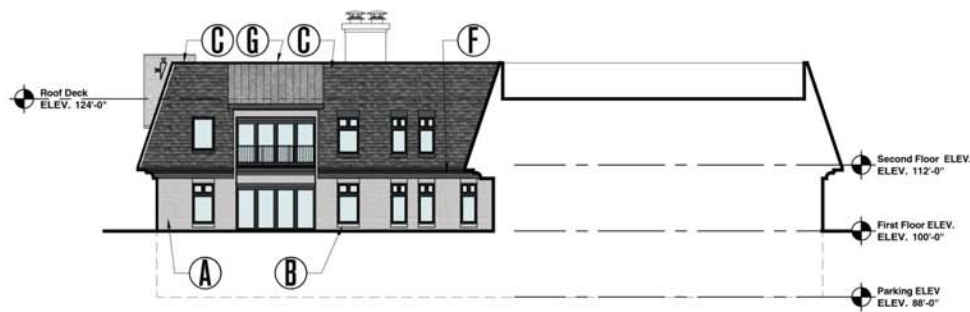
NOTE: ANY MODIFICATIONS TO THE FACADE PLAN (INCLUDING COLOR) MUST BE RESUBMITTED TO THE CITY OF AUBURN HILLS FOR REVISED APPROVAL. THE USE OF NEON, FLAGS, OR ANY OTHER TYPE OF UNAPPROVED SIGNAGE SHALL BE PROHIBITED PER SITE PLAN REVIEW.

AVERAGE HEIGHT CALCULATION:	
3 STORY - 38'-6"	58% OF TOTAL BUILDING
2 STORY - 22'-4"	42% OF TOTAL BUILDING
AVERAGE HEIGHT	31'-8 1/4"

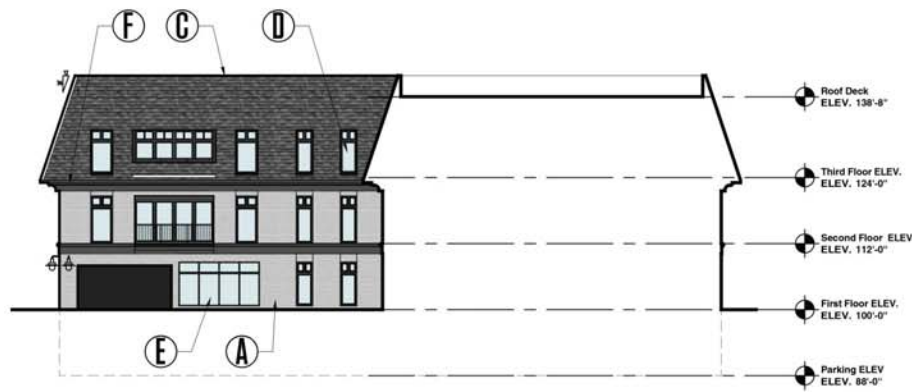
NOTE: ALL HVAC UNITS WILL BE FULLY SCREENED FROM VIA PARAPET AND SUPPLEMENTAL PANELS.



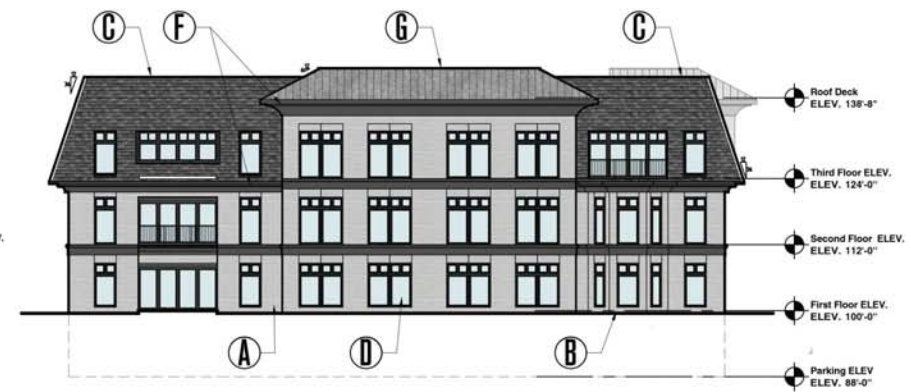
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SCALE: 1/16" = 1'



3 East Elevation  
SCALE: 1/16" = 1'



2 East Elevation  
SCALE: 1/16" = 1'



1 East Elevation  
SCALE: 1/16" = 1'

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PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date



The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Elevations

018230

A200

NOT FOR CONSTRUCTION DRAWINGS  
SIDWELL # 14-13-126-008

Material Legend	
A	BRICK
B	LIMESTONE
C	SHINGLE ROOF
D	GLAZING
E	ALUMINUM FRAMED WINDOW
F	FASCIA TRIM
G	STANDING SEAM METAL ROOF
H	EIPS TRIM
J	METAL WRAP
K	ALUM. GLASS & DOOR W/ TRANSOM
L	ALUM. GLASS & ACCORDION DOOR
M	FLAT ROOF BEYOND - STORAGE AREA

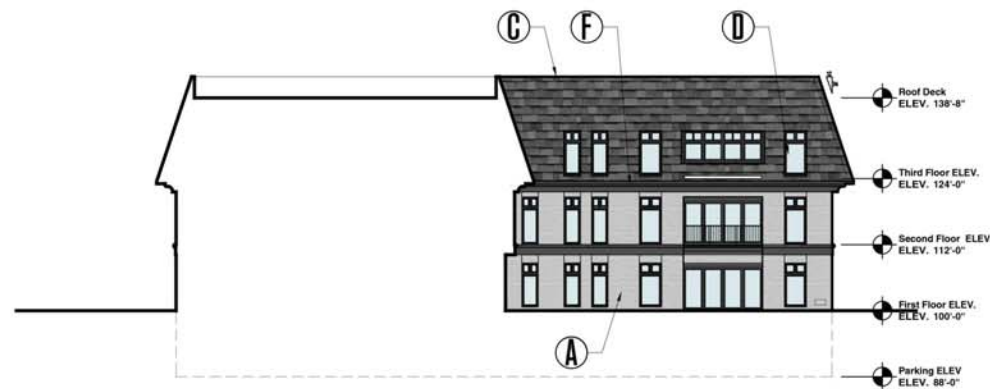
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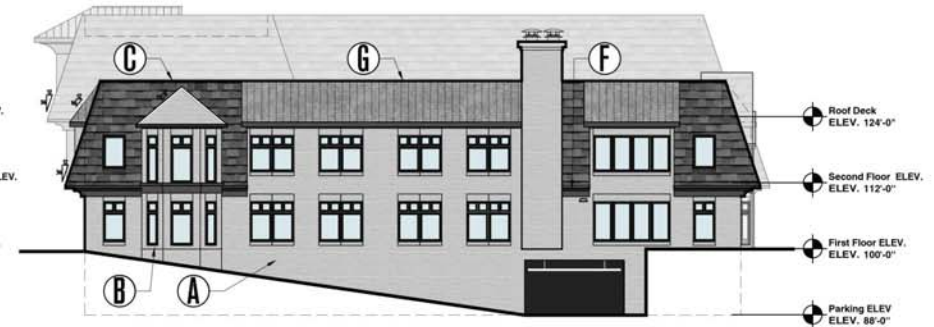
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SCALE: 1/16" = 1'



3 West Elevation  
SCALE: 1/16" = 1'



2 West Elevation  
SCALE: 1/16" = 1'



1 West Elevation  
SCALE: 1/16" = 1'

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ARCHITECTURE



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PUD Resubmission	22.08.08
Revision/Issue	Date



The Avant at Five Points  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Elevations

018230

A201

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4 Rendering 4



3 Rendering 3



2 Rendering 2



1 Rendering 1

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**The Avant at Five Points**  
Proposed Revised PUD  
Five Points Drive  
City of Auburn Hills, MI 48326

Architectural  
Facade Renderings

018230

A202



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 9A

DEPARTMENT OF PUBLIC WORKS

**To:** Mayor and City Council  
**From:** Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads  
**Submitted:** November 25, 2024  
**Subject:** Motion – Adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed Executive Hills Boulevard Special Assessment District

### INTRODUCTION AND HISTORY

The 2025 Annual Budget that was adopted by City Council includes road improvements for Executive Hills Boulevard stemming from the City's Capital Plan. The proposed work which will occur on Executive Hills Boulevard includes a "road diet" (the reduction of two lanes in each direction to one 14-foot lane with relocated crossovers that align with driveways), removal of the existing pavement, removal and replacement of curb and gutter, replacement of aggregate base where needed, replacement/extension of drive approaches, paving the road with full depth 9-inch asphalt, drainage structure and street lighting repairs and relocates, and new pathway on both sides of the roadway (pathway is to be paid for by TIFA-B, not the SAD).

In April of 2016, City Council adopted a Special Assessment District (SAD) Assignment Policy. City Council also approved an amendment to the Auburn Hills Code of Ordinances, Chapter 58, Special Assessments. The ordinance amendment allows the City Council to assign up to 50% of the cost of an SAD project anywhere in the City. After the City's assigned share is deducted from the total cost for the public improvement, the remaining balance may be shared among the property owners who benefit directly from the improvement. The preliminary cost estimate to complete the project is depicted in the table below. While the City will pay for their portion of the project upfront per the SAD, these funds will be reimbursed to the Local Roads Fund upon approval from the Tax Increment Finance Authority.

Estimated Construction Cost	\$4,400,000.00
Design Services	\$175,000.00
Construction Engineering/Construction Administration	\$250,000.00
Geotechnical Testing	\$100,000.00
Special Assessment District Administration	\$ 15,000.00
Contingency	\$440,000.00
Total Estimate of Cost	\$5,380,000.00
City Contribution	\$2,690,000.00
Total Estimate of SAD Cost	\$2,690,000.00
Total Number of Units	12
Cost Share per Unit	\$ 224,166.67

City staff have been engaged with the property owner's representatives (direct beneficiaries) along Executive Hills Boulevard. Notices have been sent to introduce the anticipated SAD road project plan. An informational meeting was also held with the property owner's representatives (beneficiaries) on November 20th, 2024. Additional

information was provided to the beneficiaries, including the proposed road work, preliminary project cost estimate, the division of total cost share per property assessed, and the City's anticipated cost share. As a result of this documented due diligence the basic preliminary proceedings of a SAD assignment have been recognized.

Finally, provided in the packet is Resolution No. 1. Adoption of the resolution will provide direction to the City Manager to begin the proceedings of the SAD process. The City will then be able to proceed with the preparation of plans, specifications, and cost estimates for the proposed Executive Hills Boulevard SAD. An estimate of the life of the project, description of the proposed SAD, number of installments to be paid by the beneficiaries, and other pertinent information will be determined and provided to the City Council as the SAD proceedings move forward.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the resolution provided regarding the proposed SAD for road improvements to Executive Hills Boulevard.

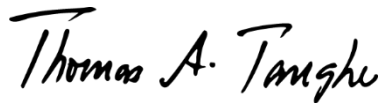
#### **MOTION**

**Move to approve Resolution No. 1 to Proceed with Preparation of Plans, Specifications, and Cost Estimates for proposed Special Assessment District regarding the repair of and improvements to Executive Hills Boulevard.**

#### **EXHIBITS**

Exhibit 1 – Resolution

I CONCUR:



---

THOMAS A. TANGHE, CITY MANAGER

**CITY OF AUBURN HILLS**

**RESOLUTION TO PROCEED WITH PREPARATION OF PLANS,  
SPECIFICATIONS AND COST ESTIMATES FOR A  
PROPOSED SPECIAL ASSESSMENT DISTRICT (RESOLUTION NO. 1)**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 2<sup>nd</sup> day of December, 2024, the following resolution was offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_:

WHEREAS, the City is considering the construction of the proposed improvement described below, and the establishment of a special assessment district to defray the cost of such improvement by special assessment against the benefited properties; and

WHEREAS, the proposed improvement (“the project”) is the repair of and improvements to Executive Hills Boulevard; and

WHEREAS, the City Council desires to proceed to the next step of having cost estimates and project description plans and specifications prepared for the project.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Manager shall direct OHM, the City’s registered professional engineers, to prepare plans and specifications for the project, a cost estimate for the project, an estimate of the life of the project, description of the proposed special assessment district, the number of installments in which assessments may be paid and other pertinent information that will permit the City Council to determine the estimated costs, extent and necessity of the project, including the portions to be paid by special assessments upon the properties that are specially benefited by the project and the portion, if any, to be paid by the City. Such information once prepared by OHM shall be filed with the City Clerk, along with the City Manager’s recommendations with respect to the project.

2. No contract or expenditure, except for the cost of preparing the necessary profiles, plans, designs, specifications and estimates of costs described above, shall be made for the project, nor shall any improvements be commenced until the City Council affirms the special assessment roll to defray the costs of the project.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

COUNTY OF OAKLAND )

I, Laura Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 2<sup>nd</sup> day of December, 2024, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Laura Pierce  
City Clerk



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

**MEETING DATE: DECEMBER 2, 2024**

**AGENDA ITEM NO 9B**

**DEPARTMENT OF PUBLIC WORKS**

**To: Mayor and City Council**  
**From: Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads**  
**Submitted: November 25, 2024**  
**Subject: Motion – Adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed Centre Road Special Assessment District**

### **INTRODUCTION AND HISTORY**

The estimated 2026 Annual Budget that was reviewed by City Council includes road improvements for Centre Road stemming from the City's Capital Plan. The proposed work which will occur on Centre Road includes removal of the existing pavement, removal and replacement of failing curb and gutter, replacement of aggregate base as needed, replacement/extension of drive approaches as needed, paving the road with full depth 9-inch asphalt, and drainage structure repairs as needed.

In April of 2016, City Council adopted a Special Assessment District (SAD) Assignment Policy. City Council also approved an amendment to the Auburn Hills Code of Ordinances, Chapter 58, Special Assessments. The ordinance amendment allows the City Council to assign up to 50% of the cost of an SAD project anywhere in the City. After the City's assigned share is deducted from the total cost for the public improvement, the remaining balance may be shared among the property owners who benefit directly from the improvement. The preliminary cost estimate to complete the project is depicted in the table below. While the City will pay for their portion of the project upfront per the SAD, these funds will be reimbursed to the Local Roads Fund upon approval from the Tax Increment Finance Authority.

Estimated Construction Cost	\$2,500,000.00
Design Services	\$100,000.00
Construction Engineering/Construction Administration	\$150,000.00
Geotechnical Testing	\$ 56,000.00
Special Assessment District Administration	\$ 15,000.00
Contingency	\$250,000.00
Total Estimate of Cost	\$3,071,000.00
City Contribution	\$1,535,500.00
Total Estimate of SAD Cost	\$1,535,500.00
Total Number of Units	25
Cost Share per Unit	\$ 61,420.00

City staff have been engaged with the property owner's representatives (direct beneficiaries) along Centre Road. Notices have been sent to introduce the anticipated SAD road project plan. An informational meeting was also held with the property owner's representatives (beneficiaries) on November 20th, 2024. Additional information was provided to the beneficiaries, including the proposed road work, preliminary project cost estimate, the division of total cost share per property assessed, and the City's anticipated cost share. As a result of this documented due diligence the basic preliminary proceedings of a SAD assignment have been recognized.

Finally, provided in the packet is Resolution No. 1. Adoption of the resolution will provide direction to the City Manager to begin the proceedings of the SAD process. The City will then be able to proceed with the preparation of plans, specifications, and cost estimates for the proposed Centre Road SAD. An estimate of the life of the project, description of the proposed SAD, number of installments to be paid by the beneficiaries, and other pertinent information will be determined and provided to the City Council as the SAD proceedings move forward.

**STAFF RECOMMENDATION**

Staff recommends approval of the resolution provided regarding the proposed SAD for road improvements to Centre Road.

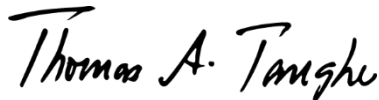
**MOTION**

**Move to approve Resolution No. 1 to Proceed with Preparation of Plans, Specifications, and Cost Estimates for proposed Special Assessment District regarding the repair of and improvements to Centre Road.**

**EXHIBITS**

Exhibit 1 – Resolution

I CONCUR:

A handwritten signature in black ink that reads "Thomas A. Tanghe". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

THOMAS A. TANGHE, CITY MANAGER

**CITY OF AUBURN HILLS**

**RESOLUTION TO PROCEED WITH PREPARATION OF PLANS,  
SPECIFICATIONS AND COST ESTIMATES FOR A  
PROPOSED SPECIAL ASSESSMENT DISTRICT (RESOLUTION NO. 1)**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 2<sup>nd</sup> day of December, 2024, the following resolution was offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_:

WHEREAS, the City is considering the construction of the proposed improvement described below, and the establishment of a special assessment district to defray the cost of such improvement by special assessment against the benefited properties; and

WHEREAS, the proposed improvement (“the project”) is the repair of and improvements to Centre Road; and

WHEREAS, the City Council desires to proceed to the next step of having cost estimates and project description plans and specifications prepared for the project.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Manager shall direct OHM, the City’s registered professional engineers, to prepare plans and specifications for the project, a cost estimate for the project, an estimate of the life of the project, description of the proposed special assessment district, the number of installments in which assessments may be paid and other pertinent information that will permit the City Council to determine the estimated costs, extent and necessity of the project, including the portions to be paid by special assessments upon the properties that are specially benefited by the project and the portion, if any, to be paid by the City. Such information once prepared by OHM shall be filed with the City Clerk, along with the City Manager’s recommendations with respect to the project.

2. No contract or expenditure, except for the cost of preparing the necessary profiles, plans, designs, specifications and estimates of costs described above, shall be made for the project, nor shall any improvements be commenced until the City Council affirms the special assessment roll to defray the costs of the project.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

COUNTY OF OAKLAND )

I, Laura Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 2<sup>nd</sup> day of December, 2024, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Laura Pierce  
City Clerk



# CITY OF AUBURN HILLS

## CITY COUNCIL AGENDA

MEETING DATE: DECEMBER 2, 2024

AGENDA ITEM NO 9C

DEPARTMENT OF PUBLIC WORKS

**To: Mayor and City Council**  
**From: Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads**  
**Submitted: November 25, 2024**  
**Subject: Motion – Adopt Resolution No. 1 to Proceed with Preparation of Plans, Specifications and Cost Estimates for Proposed Innovation Drive Special Assessment District**

### INTRODUCTION AND HISTORY

The estimated 2026 Annual Budget that was reviewed by City Council includes road improvements for Innovation Drive stemming from the City's Capital Plan. The proposed work which will occur on Innovation Drive includes removal of the existing pavement, removal and replacement of failing curb and gutter, replacement of aggregate base as needed, replacement/extension of drive approaches as needed, paving the road with full depth 9-inch asphalt, and drainage structure repairs as needed, and the removal and paving through of the existing cul-de-sac.

In April of 2016, City Council adopted a Special Assessment District (SAD) Assignment Policy. City Council also approved an amendment to the Auburn Hills Code of Ordinances, Chapter 58, Special Assessments. The ordinance amendment allows the City Council to assign up to 50% of the cost of an SAD project anywhere in the City. After the City's assigned share is deducted from the total cost for the public improvement, the remaining balance may be shared among the property owners who benefit directly from the improvement. The preliminary cost estimate to complete the project is depicted in the table below. While the City will pay for their portion of the project upfront per the SAD, these funds will be reimbursed to the Local Roads Fund upon approval from the Tax Increment Finance Authority.

Estimated Construction Cost	\$1,200,000.00
Design Services	\$ 50,000.00
Construction Engineering/Construction Administration	\$ 75,000.00
Geotechnical Testing	\$ 27,000.00
Special Assessment District Administration	\$ 15,000.00
Contingency	\$120,000.00
Total Estimate of Cost	\$1,487,000.00
City Contribution	\$743,500.00
Total Estimate of SAD Cost	\$743,500.00
Total Number of Units	2
Cost Share per Unit	\$371,750.00

City staff have been engaged with the property owner's representatives (direct beneficiaries) along Innovation Drive. Notices have been sent to introduce the anticipated SAD road project plan. An informational meeting was also held with the property owner's representatives (beneficiaries) on November 20th, 2024. Additional information was provided to the beneficiaries, including the proposed road work, preliminary project cost estimate,

the division of total cost share per property assessed, and the City's anticipated cost share. As a result of this documented due diligence the basic preliminary proceedings of a SAD assignment have been recognized.

Finally, provided in the packet is Resolution No. 1. Adoption of the resolution will provide direction to the City Manager to begin the proceedings of the SAD process. The City will then be able to proceed with the preparation of plans, specifications, and cost estimates for the proposed Innovation Drive SAD. An estimate of the life of the project, description of the proposed SAD, number of installments to be paid by the beneficiaries, and other pertinent information will be determined and provided to the City Council as the SAD proceedings move forward.

**STAFF RECOMMENDATION**

Staff recommends approval of the resolution provided regarding the proposed SAD for road improvements to Innovation Drive.

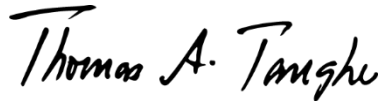
**MOTION**

**Move to approve Resolution No. 1 to Proceed with Preparation of Plans, Specifications, and Cost Estimates for proposed Special Assessment District regarding the repair of and improvements to Innovation Drive.**

**EXHIBITS**

Exhibit 1 – Resolution

I CONCUR:

Handwritten signature of Thomas A. Tanghe in black ink.

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THOMAS A. TANGHE, CITY MANAGER

**CITY OF AUBURN HILLS**

**RESOLUTION TO PROCEED WITH PREPARATION OF PLANS,  
SPECIFICATIONS AND COST ESTIMATES FOR A  
PROPOSED SPECIAL ASSESSMENT DISTRICT (RESOLUTION NO. 1)**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 2<sup>nd</sup> day of December, 2024, the following resolution was offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_:

WHEREAS, the City is considering the construction of the proposed improvement described below, and the establishment of a special assessment district to defray the cost of such improvement by special assessment against the benefited properties; and

WHEREAS, the proposed improvement (“the project”) is the repair of and improvements to Innovation Drive; and

WHEREAS, the City Council desires to proceed to the next step of having cost estimates and project description plans and specifications prepared for the project.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Manager shall direct OHM, the City’s registered professional engineers, to prepare plans and specifications for the project, a cost estimate for the project, an estimate of the life of the project, description of the proposed special assessment district, the number of installments in which assessments may be paid and other pertinent information that will permit the City Council to determine the estimated costs, extent and necessity of the project, including the portions to be paid by special assessments upon the properties that are specially benefited by the project and the portion, if any, to be paid by the City. Such information once prepared by OHM shall be filed with the City Clerk, along with the City Manager’s recommendations with respect to the project.

2. No contract or expenditure, except for the cost of preparing the necessary profiles, plans, designs, specifications and estimates of costs described above, shall be made for the project, nor shall any improvements be commenced until the City Council affirms the special assessment roll to defray the costs of the project.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

COUNTY OF OAKLAND )

I, Laura Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 2<sup>nd</sup> day of December, 2024, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Laura Pierce  
City Clerk

# **OU professors and university remain at odds over threat reaction**

## **Union files grievance with OU administration**



Oakland University and their professor's union continue to be at odds over how a student threatening a professor has been handled and the union has filed a formal grievance on the matter. Photo by Matt Fahr

By Matthew Fahr | [mfahr@medianewsgroup.com](mailto:mfahr@medianewsgroup.com) | The Oakland Press

UPDATED: November 21, 2024 at 4:01 PM EST

The Oakland university professors' union and university administrators remain at odds over how a threat against a professor has been handled.

On Nov. 11, the Oakland University American Association of University Professors (OU-AAUP) filed a formal grievance with the university for not following existing processes and procedures and not providing faculty with what they need to perform their jobs effectively.

The explanation was provided in a letter to union members last week.

The letter also included an administration response to a vote of no confidence taken by the union earlier this month.

"Unfortunately, the AAUP has taken an unprecedented and inappropriate step by voting no confidence in the leadership of Dean Michael Wadsworth and the Dean of Students Office," said Kevin Corcoran, interim executive vice president for academic affairs and provost, in a letter to union President Michael Latcha. "In this case, the established grievance process would have been the appropriate course of action if the AAUP was truly interested in resolving those concerns in a collaborative manner."

Union members voted for changes in the Dean of Students office and the removal of Wadsworth. Of the 435 members who voted, 402 (92%) said they had no confidence in Wadsworth's leadership.

"It is also important to note the extraordinary personal damage caused by the false and misleading statements that were directed at the specific individual and the entire Dean of Students staff," Corcoran said in the letter. "We have always been and will continue to be, open to collaborative conversations as the appropriate method of resolving faculty concerns."

The union considered the response to be underwhelming.

"To say that we find this response insufficient would be an understatement. Provost Corcoran echoed our characterization of the action as unprecedented, but instead of seeing that as evidence of the alarming extent of the problems, he chooses to label our action as inappropriate," Latcha said in the letter to members. "The unprecedented action was taken precisely because Oakland has failed to abide by previous grievance resolutions."

Union members were concerned over the handling of recent social media and in-person threats made by a student against a School of Music, Theater and Dance faculty member.

According to the union, faculty and students reported the behaviors through several official channels starting on Sept. 18

After more threats were made on Oct. 10 the student was removed from campus housing and banned from returning to campus. Another social media post interpreted as a possible threat kept some students and staff away from Varner Hall on Oct. 29.

The student has not been identified and according to the university, the student and the Office of Student Affairs had planned a virtual meeting earlier this month with the student to discuss the behavior. No information on that process has been released.

According to the AAUP contract, a meeting will be held with a university representative within 10 days and if the union is not satisfied with the response the grievance would be heard by a representative of the Office of the Executive Vice President for Academic Affairs and Provost.

If the union is still not satisfied with a proposed solution, they would have 30 days to notify OU they would like an arbitrator to hear their grievance and render a decision.

The union defended their position in the letter to their membership.

"The AAUP always has and always will speak out in defense of safe and fair working conditions. How we choose to do so is our choice and Oakland administrators have no authority to judge the appropriateness of our chosen course of action," Latcha wrote. "Gaslighting faculty for alerting the administration to our concerns serves no one. Declaring themselves open to collaborative conversations only to then reject that very notion serves no one."

The union said a similar incident involving a faculty member threatened by a student occurred in 2023 and a grievance was filed with the university. The grievance was withdrawn after OU agreed to a series of changes in how threats were reported and followed up. The union claims the university has been ineffective in adhering to changes.

"To date we have relied upon Oakland to follow through with prior grievance resolutions but, unfortunately, that trust has been misplaced," wrote Latcha. "We no longer need promises of change – we need change."